




ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: October 8, 2020	Amends/Supersedes: October 6, 2017 July 7, 2009	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.08.06, PER.10.01			

533.04 Infectious Diseases

I. Policy

Employees should always take appropriate precautions to reduce the risk of contracting infectious diseases when rendering assistance to the public, giving first aid, arresting suspects, investigating crime scenes, and when processing evidence and property for impoundment as individuals who have infectious diseases may or may not display overt symptoms of a disease. Risks related to contracting infectious diseases can be greatly reduced through careful hand washing and by taking preventive measures to reduce exposures including wearing personal protective equipment.

II. Code Requirements

- A. [Virginia Code § 32.1-45.1. Deemed consent to testing and release of test results related to infection with human immunodeficiency virus or hepatitis B or C viruses.](#)
- B. [Virginia Code § 32.1-45.2. Public safety employees; testing for blood-borne pathogens; procedure available for certain citizens; definitions.](#)
- C. [Virginia Code § 32.1-116.3. Reporting of communicable diseases; definitions.](#)
- D. [Virginia Code § 65.2-402.1. Presumption as to death or disability from infectious disease.](#)

III. Definitions

- A. Acquired Immune Deficiency Syndrome (AIDS) - AIDS is a chronic, potentially life-threatening condition caused by the Human Immunodeficiency Virus (HIV) which damages the immune system and interferes with the body's ability to fight infection and disease. Most persons infected with HIV remain healthy while others develop AIDS. The HIV virus is fragile and is easily killed by heat and many common disinfectants.
- B. Bleach Solution - A disinfectant made up of a 1:100 bleach solution (one quarter cup of bleach per gallon of tap water), also referred to as a 1% bleach solution. This solution must be mixed fresh daily. It can be used to disinfect or destroy certain infectious substances. Other EPA registered disinfectants can be used as substitutes for the 1% bleach solution.
- C. Blood - Human blood, human blood components, and products made from human blood.

- D. Body Substance Isolation – The use of personal protective equipment to limit or eliminate direct contact with blood or other body fluids.
- E. Contaminated - The presence or the reasonably anticipated presence of blood or other potentially infectious material on an item or surface.
- F. DHS - Department of Human Services.
- G. Exposure Incident - A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.
- H. Hepatitis B Virus (HBV) - Hepatitis B is the most serious of the various types of hepatitis. HBV is transmitted in the same manner as HIV. Once a person is infected, the disease can result in a mild infection, an infection of or cancer in the liver, or death due to liver failure. Those infected with the virus can act as carriers and spread the disease to others. There is no known treatment for persons infected with HBV. Approximately 2% of those contracting the disease will die. HBV can be prevented with a vaccine.
- I. Occupational Exposure - Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
- J. Other Potentially Infectious Materials (OPIM) - Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; any unfixed tissue or organ (other than intact skin) from a human (living or dead).
- K. Other Infectious Diseases - Herpes, gonorrhea, syphilis. All transmitted in a variety of different ways from person to person.
- L. Parenteral - Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.
- M. Personal Protective Equipment (PPE) - Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.
- N. Tuberculosis (TB) - An infection that primarily affects the lungs. Infection is caused by airborne droplet nuclei from the respiratory tract of an infected person. The disease is treatable.
- O. Universal Precautions – An approach to infection control that treats all human blood and certain human body fluids as if they are known to be infectious for HIV, HBV, and other blood borne pathogens.

IV. Procedure

- A. General Exposure Prevention – The general prevention of exposure to hepatitis, AIDS, tuberculosis, and other infectious diseases can be achieved by observing the following protocols:

1. Keep all breaks in the skin covered or bandaged when working.
 2. The use of disposable gloves is recommended, when practical, while searching a prisoner. Wash hands after gloves are removed and discarded. Disposable gloves do not provide complete protection when exposed to blood or OPIM over an extended period of time. Employees should be aware that rings, jewelry, or long fingernails may tear the gloves. The gloves should be inspected frequently during use to ensure they do not become torn.
 3. Suspects should be asked about the presence of needles or other sharp objects before being searched. Make careful visual checks of areas to be searched, especially pockets, cuffs, and collars, so as to avoid accidental needle sticks or cuts by sharp objects. Avoid putting hands in contact with the face and other uncovered body parts while working in areas where blood or OPIM are present.
 4. Wash hands or affected area for several minutes with soap and hot water after being exposed to blood or OPIM. If hand washing facilities are not immediately available, antibacterial towelettes may be used but are not a substitute for hand washing. Complete hand washing with hot water and soap should be accomplished as soon as possible.
 5. Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas or crime scenes where there is a reasonable likelihood of occupational exposure.
 6. If a situation presents hazards beyond the expertise of Police Department personnel, consultation with the Fire Department, Hazardous Materials Unit, or Department of Human Services may be advisable.
 7. Masks should be worn when dealing with anyone who may have a disease transmitted through the air, such as tuberculosis. It may be desirable to place an additional mask on the person involved, providing that the mask does not interfere with breathing. When it is necessary to remain in a confined space with such a person, a window should be opened and adequate ventilation should be maintained.
- B. Crime Scenes, Autopsies, and Contaminated Evidence - The minimum number of personnel should be present when handling blood or OPIM or items contaminated with them. All breaks in the skin should be covered or bandaged while working in a crime scene. Employees should wear appropriate protective apparel, as dictated by the situation. Employees should plan on how to deal with contaminated items to minimize splashing or spraying of blood or OPIM.
1. Recovery of property or evidence:
 - a. Any item contaminated with blood or OPIM should be packaged in a leak proof container.
 - b. The package should be clearly marked with BIOHAZARD tape available from the Evidence & Inventory Management Unit.
 - c. Evidence left in Room 033 to air dry must be conspicuously marked or tagged as to presence of blood or OPIM.

- d. The Property Quick Entry should clearly note the existence of blood or OPIM in the description field.
 - e. Sharp objects such as knives, machetes, and razors should be wrapped or taped so that sharp points or cutting edges cannot puncture the container they are stored in. A warning should be clearly marked on the container that it contains sharp objects.
 - f. Hypodermic needles should never be recapped. They should be placed in storage tubes provided by the Evidence & Inventory Management Unit.
 - g. Outer wrappings or covers on property or evidence submitted to the Evidence & Inventory Management Unit should never contain blood or OPIM.
 - h. Any non-disposable police agent equipment contaminated with blood or OPIM should be cleaned with the 1% bleach solution or commercial disinfectant. Personal protective equipment should be worn by employees cleaning equipment and then properly discarded.
 - i. Before any crime scene area is relinquished to the owner or agent of the property, that person should be warned of the presence of blood or OPIM. The property owner should consult with a commercial cleaning company if in doubt as to how the material should be cleaned. If no one is present with whom this information may be discussed, a note containing this information should be left in a prominent location.
 - j. Blood or OPIM to be submitted for testing at the Virginia Department of Forensic Science should be properly packaged. Blood or OPIM should never be sprayed with a disinfectant or bleach solution prior to being submitted to the laboratory for testing.
- C. Disposal of used or contaminated apparel - Used or contaminated personal protective equipment, particularly gloves, should never be discarded on the street, left in fleet vehicles, or left at crimes scenes. All personal protective equipment used at crime scenes or during close public contact should be sealed in a plastic bag and placed in a red, biohazard waste bag available from the Evidence & Inventory Management Unit. The bag should be turned in to the Evidence & Inventory Management Unit for disposal. If the Evidence & Inventory Management Unit is closed, the sealed bag should be placed in Room 033 - no documentation related to disposal is necessary. Additionally, used personal protective equipment may be discarded at hospitals where contaminated apparel is destroyed, if approved by hospital staff. The Evidence & Inventory Management Unit will issue new personal protective equipment upon request.
- D. Uniform and civilian apparel contamination - All wash and wear uniform and clothing parts can be washed if contaminated with small amounts of blood or OPIM. A contaminated uniform or clothing part should be changed immediately and placed in a sealed paper bag. Wash the item separately with hot water and soap. Normal washing will disinfect the contaminated part.

Parts of the uniform or other pieces of clothing that require commercial cleaning should be isolated from other clothes and the contaminated area should be soaked in 70% alcohol for 10 minutes and then sent to the dry cleaners.

Any uniform or clothing part that has been contaminated and cannot be used should be returned separately to the Evidence & Inventory Management Unit in a sealed bag which should then be placed in a red, biohazard waste bag for destruction. All contaminated uniform parts returned to the Evidence & Inventory Management Unit will be replaced.

- E. Contaminated Police Vehicles - Employees will wear personal protective equipment whenever they decontaminate a vehicle. Visible blood or OPIM should first be removed with disposable towels or other means that will prevent direct contact between the material and the employee's skin.

If the transport compartment of the patrol wagon becomes contaminated with blood or OPIM, the operator should disinfect the area with bleach solution. If possible, the area should be allowed to air dry after being exposed to the bleach solution. If this is not possible then the area can be rinsed with water.

If other vehicles are contaminated, the operator or assigned employee should use a bleach solution to disinfect non-cloth seats, or a disinfectant spray for cloth seats. Again, it is preferable to allow the area to air dry after being treated with a disinfectant. If this is not possible the area may then be rinsed with water.


The Asset Management Unit will coordinate the proper sanitization of a police vehicle in circumstances when professional cleaning is necessary. In such cases, the following will apply:

1. The operator of the vehicle will notify a supervisor who will inspect the vehicle.
2. If deemed necessary by the supervisor, the vehicle will be placed out of service at the Trades Center repair line, leaving the windows partly open to allow air to flow freely in the car (A sealed vehicle can cause wet body fluids to putrefy).
3. A repair note will be left on the vehicle windshield that conspicuously identifies the vehicle as contaminated by body fluids and the location of the contaminated area within the vehicle, i.e. right front seat.
4. If a pool vehicle or personally assigned vehicle is contaminated, the employee or operator will complete an informal memorandum describing the condition of the vehicle and forward it to a supervisor.
5. The Section or Watch Commander will notify the Office of the Operations Division Deputy Chief, verbally, by voice mail, or in writing at the earliest possible time but no later than 0800 hours on the next regular working day so that measures can be initiated to decontaminate or replace the affected part.

- F. Exposure Incident - Should an exposure incident occur, employees should:
1. Wash the affected area as soon as possible with hot water and soap, bleach solution, or other disinfectant.
 2. Irrigate contaminated mucous membranes such as the eyes, nose, and mouth, with water or saline solution for 15 minutes.
 3. Report an exposure incident to a supervisor promptly.
 4. Follow the procedures as set forth in the [County's Exposure Control Plan](#).
- G. Supervisory Responsibilities
1. Assist the employee in receiving immediate medical attention.
 2. Complete the following reports:
 - a. [Supervisor's Incident/Accident Investigation Report](#).
 - b. [Bloodborne Exposure Procedure Check List](#).
 - c. [Bloodborne Illness Exposure Report](#).
 - d. [Employer Accident Report](#).
 3. Assist the employee in making arrangements for follow up services in accordance with the County's Exposure Control Plan.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: December 18, 2020	Amends/Supersedes: October 6, 2017 March 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
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531.05 Hate Crime

I. Policy

The police department supports the safeguarding and enforcement of human and civil rights for all people living, working, or visiting in Arlington County and believes that no one should be singled out for abuse, harassment, or mistreatment because of their race, gender, gender identity, religion, ethnic background, disability, or sexual orientation. Furthermore, the investigation of a hate crime will be given high priority as the impact of these crimes can be devastating to families and the community.

II. Code Requirements

- A. Arlington County Code [§ 17-22. Reporting of Hate Crimes.](#)
- B. Code of Virginia [§ 52-8.5. Reporting Hate Crimes.](#)

III. Definitions

- A. Disability – A physical or mental impairment that substantially limits one or more of a person's major life activities.
- B. Ethnic Group - Basic groups or divisions of mankind distinguished by customs, characteristics and/or common language and history, among other factors.
- C. Gender Identity - An individual's internal sense of being male, female, or another gender (not necessarily visible to others).
- D. Hate Crime - Any criminal or illegal act designed to frighten, harm, intimidate or harass an individual, in whole or in part based on their race, religion, gender, disability, gender identity, sexual orientation, or ethnic or national origin or that is committed for the purpose of restraining that person from exercising their rights under the Constitution or laws of the Commonwealth or of the United States.
- E. Sexual Orientation - Direction of sexual preference for persons of the same sex (gay, lesbian), persons of the opposite sex (heterosexual) or toward both in some proportion (bisexual).

IV. Procedure

- A. Initial Response - An officer at the scene of an incident considered to be a hate crime shall:
 - 1. Take appropriate enforcement action.

2. Restore order and gain control of the situation.
3. Identify injured parties and request medics.
4. Identify witnesses or others who have knowledge of the crime.
5. Protect the crime scene.
6. Request a supervisor respond to the scene.

B. Preliminary Investigation

1. Responding officers shall conduct a standard preliminary investigation to include preliminary interviews of the victim and any witnesses to the incident.
2. All relevant facts shall be documented in a police case report and an initial determination should be made as to whether the incident should be classified as a hate crime.

C. Supervisors Responsibilities

1. Confer with the initial responding officer and ensure that all necessary preliminary actions have been taken.
2. Request any additional appropriate personnel necessary to provide immediate assistance to the crime victim.
3. Express empathy and sincere interest in the victim's well-being.
4. Communicate the department's position regarding the priority given to investigating hate crime and the measures that will be taken to apprehend the perpetrators.
5. Allow victims time to voice their immediate concerns and express their feelings.
6. Assist the victim in identifying and contacting individuals or agencies that may provide support and assistance. These may include, but are not limited to:
 - a. Family members or close acquaintances.
 - b. Members of the clergy.
 - c. Community service agencies that provide shelter, food, clothing, childcare or other related services.
7. Implement security measures when necessary to protect the victim, including short-term relocation and increased patrols in the area. Inform the victim of the measures that have been taken in order to reduce the victim's fears. The victim should be given prevention, security and precautionary advice.

D. Additional Investigative Responsibilities - Personnel assigned to hate crime incidents shall be responsible for the following:

1. Assure the scene is properly protected, preserved and processed and all physical evidence of the incident is removed as soon as possible. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall) the owner of the property shall be contacted to remove such material as soon as possible and the officer shall follow-up to ensure that this is accomplished in a timely manner.
2. Conduct a comprehensive interview with all victims and witnesses at the scene, or as soon as possible thereafter, and canvass the neighborhood for additional sources of information.
3. Notify other appropriate personnel, depending on the nature and seriousness of the offense, and its potential inflammatory and related impact on the community.
4. Work closely with the Commonwealth's Attorney's Office to ensure that a legally adequate case is developed for prosecution.
5. Coordinate the investigation with state and regional intelligence operations agencies.
6. Coordinate the investigation with other units of the police department and with outside agencies where appropriate.
7. Personnel shall take the lead role in providing information to crime victim(s) concerning the Victim Witness Program administered by the Office of the Commonwealth's Attorney and the ongoing status of the criminal investigation.


E. Community Resources Section (CRS) Responsibilities

1. The CRS Commander shall review all case reports involving hate crimes with the Patrol Section Commanders and perform or direct the performance of the following:
 - a. Establish communication with the investigator assigned to the case in order to provide regular updates to the victim(s) and/or the community on the status of the case.
 - b. Meet with neighborhood groups, residents in impacted communities and other identified groups to allay fears, relay the department's concerns over and response to this and related incidents, reduce the potential for counter-violence and provide safety, security and crime prevention information.
 - c. Provide direct and referral assistance to the victim and their family.
 - d. Conduct public meetings on hate crime threats and violence in general as it relates to specific incidents.
 - e. Establish a liaison with formal organizations and leaders.
 - f. Expand, where appropriate, existing preventive programs such as anti-hate seminars for school children.

- F. Support Management Section (SMS) Responsibilities – A copy of all hate crime related case reports shall be forwarded to the Commander of SMS. If the SMS Commander determines the incident meets the definition of a hate crime as defined in VA Code § 52-8.5. *Reporting hate crimes.*, the supervisor of the Administrative Support Unit will be directed to complete and submit [Virginia State Police form SP-47](#).



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 1 Introduction	Effective Date: January 29, 2021	Amends/Supersedes: April 4, 2017 December 1, 2014 September 4, 2012 May 23, 2011 March 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.09.01, ADM.09.02			

100.00 INTRODUCTION

110.00 Authority for Establishing Department Manual – Virginia Code, §15.2-1701, was codified from Chapter 160, Acts of Assembly 1946, authorizing any locality, by ordinance, to organize its police forces. On January 30, 1940, the Arlington County Board passed a resolution creating the County Police Department. The County Manager was delegated the authority to operate and supervise the department, appoint supervisory officers, and establish rules and regulations for the operation of the department as deemed advisable or necessary. This authority establishes the Arlington County Police Department Manual.

120.00 Department Manual – The Department Manual provides policy and procedural guidance at the organizational level that generally apply to all employees regardless of assignment or employment category. The department also publishes standard operating procedures (SOP) that describe regularly recurring operations at the section and unit level that generally apply to all employees assigned within that section or unit regardless of assignment or employment category. In the event of an inconsistency between the Manual and an SOP, the Manual shall take precedence.

Manual directives and standard operating procedures are for internal use only and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of these directives, if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting. Nothing contained in the Department Manual or any SOP shall create in the public, or in any other person or entity, rights as a third-party beneficiary, nor authorize any person or entity to maintain any action for personal injury, property damage, or breach of contract.

120.10 Terminology & Style – The present tense includes the past and future tenses. The masculine gender includes the female gender. The singular number includes the plural.

120.20 Legality Disclaimer – If any subsection, item, clause, or phrase contained in the Manual is illegal, or otherwise inapplicable, such finding shall not affect the validity of the remaining portions of the Manual.

120.30 Chapter Titles – The Department Manual has five chapters:

- Chapter 1 - Introduction
- Chapter 2 - Policy
- Chapter 3 - Organization & Administration
- Chapter 4 - Rules & Regulations
- Chapter 5 - Procedures

120.31 Introduction (Chapter 1) – This chapter is composed of general statements concerning establishing the Manual, chapter descriptions, numbering system, maintenance and distribution of the Manual, definition, grammatical construction, and legality of contents.

120.32 Policy (Chapter 2) – This chapter is composed of general statements concerning objectives and principles as set forth by the Chief of Police to guide department employees and activities.

120.33 Organization and Administration (Chapter 3) – This chapter identifies the organization of the department and defines the responsibilities of divisions, districts, sections, units, offices, teams, and certain positions or functions within the department.

120.34 Rules and Regulations (Chapter 4) – This chapter contains the rules and regulations of the department which shall govern the activities of sworn and non-sworn employees.

120.35 Procedures (Chapter 5) – This chapter contains procedures to guide department employees in executing their duties in furtherance of police objectives. The Manual cannot possibly contain procedures to cover every situation but addresses the most important procedural issues. Procedures may be added, rescinded, or amended as specific needs arise.

120.40 Numbering System – A modified decimal system is used to number each chapter, part, and section of this Manual to provide quick reference and to maintain flexibility in revising and expanding its contents. The first digit designates the chapter; the second two digits designate a major area, part, heading, or alphabetical order. The two decimal places designate various subjects under the major area, part, heading, or alphabetical order.

120.41 Examples of Numbering System –


100.00	Introduction
20.00	Department Manual
.10	Terminology & Style
200.00	Policy
20.00	General Policy Statement
.10	Policy Defined

- 300.00 Organization and Administration
 - 20.00 Operations Division
 - 2.00 Special Operations Section
 - .10 Traffic and Motor Unit
- 400.00 Rules & Regulations
 - 13.00 Orders
 - .01 Appealing an Order

- 120.50 Policy and Procedure Management** – The Department uses PowerDMS to electronically store, disseminate, and track policies and procedures related to the Manual and standard operating procedures. All employees will be provided with a PowerDMS account. Volunteers, student interns or other personnel serving with the Department in a temporary capacity need permission from their section commander in order to be provided with an individual PowerDMS account.
- 120.51 Distribution** – Manual directives and standard operating procedures shall be distributed to all divisions, sections, and/or units of the Department by the Office of Professional Responsibility (OPR) via *PowerDMS*.
- 120.52 Receipts** – Employees shall provide an electronic signature in *PowerDMS* acknowledging receipt of a new or revised Manual directive. Manual directives may also include a sign by date, time requirement or an associated test.
- 120.53 Manual Access** – An electronic copy of the Manual is stored in *PowerDMS* and in the “L” directory of the County network in the folder titled, "Manual". Within that folder, employees should follow a path to “Master Copy for Access by Employees”. Printed copies can be generated from *PowerDMS* or the "L" Directory.
- 120.54 Revision Development** – Requests or suggestions for revisions to the Manual may be offered by any department employee. Such requests and suggestions shall be directed to the OPR Commander through the chain of command. In most cases, the proposed revision shall be disseminated to all district and section commanders for comment, prior to final adoption.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 2 Policy	Effective Date: January 29, 2021	Amends/Supersedes: April 4, 2017 May 8, 2012 July 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
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200.00 Policy

201.00 General Policy Statement – This chapter sets forth general statements of policy to guide department employees and their activities. These statements contain principles which have been developed and tested by employees of this and other departments in seeking the fulfillment of law enforcement objectives.

201.10 Policy Defined – Policy consists of principles and values that guide the performance of a department activity. Policy is not a statement of what must be done in a particular situation; rather, it is a statement of guiding principles, which should be followed in activities that are directed toward the attainment of department objectives.

Policy is formulated by analyzing objectives and determining, through research, those principles that will best guide the department in achieving its objectives. Policy is based upon police ethics and experience, the desires of the community, and the mandate of the law.

Policy is articulated to inform the public and department employees of the principles that will be adhered to in the performance of the law enforcement function. Additionally, policy establishes operational standards to assist department employees in the necessary exercise of discretion in discharging their responsibility.

202.00 Mission Statement – Our mission is the reduction of the incidence of crime and the improvement of the quality of life in Arlington County by making it a place where all people can live safely and without fear. The Arlington County Police Department is committed to:

- Impartial enforcement and the intelligent use of discretion in the application of the criminal law to problems of crime and disorder;
- The prevention of crime and disorder through the use of problem-solving tactics embedded in a community-oriented policing strategy which emphasizes collaboration with other county agencies as well as partnerships with advocacy groups and neighborhood associations;
- Respect for the Constitutional rights and personal dignity of all people with whom we come in contact;
- Openness, accessibility, and the belief that an informed citizenry will be less fearful and better able to participate in the creation of peaceful, accessible public spaces;

- Police service of the highest professional quality grounded in our core values of courage, competence, commitment, compassion, integrity, restraint and respect;
- Organizational improvement and receptiveness to the need for change in response to the changing needs of an evolving and diverse community;
- Leadership within the organization, be agents of change, motivate others, promote trust, provide guidance, and most importantly, inspire.

203.00 Core Values

- **Courage** - We are willing to confront internal and external challenges. We recognize the dangers inherent in our profession and are willing to place the safety of others above our own.
- **Competence** - We are knowledgeable and proficient in the performance of our responsibilities. We assess our actions to improve performance.
- **Commitment** - We pledge to fulfill our missions by being accountable to our community, our department, and to each other.
- **Compassion** - We care about the well-being of all members of our department and community. We treat everyone with dignity and respect.
- **Integrity** - We are committed to the highest standards of honesty and ethical conduct, which are the cornerstones of our profession. We uphold the public trust and our commitment to our core values.
- **Restraint** - We exercise self-discipline and control at all times to model behavior for our peers and community.
- **Respect** - We recognize the authority we hold and will treat others as we would like to be treated. We faithfully, and without bias, honor our obligations to the community.

204.00 The Police Function – The scope of the police function is defined by its goals. As a result, the police function must be broadly interpreted to include many tasks other than the enforcement of laws.

204.10 Police Department Goals – The goals of the Arlington County Police Department and each employee thereof include: the protection of life, individual liberty and property; the preservation of peace; the prevention of crime and disorder; the detection and arrest of violators of the law; the enforcement of federal, state and county laws and ordinances coming within departmental jurisdiction.

204.11 Prevention of Crime – Crime is a social phenomenon and crime prevention should be the concern of every person in the community. The department is responsible, however, for interacting with the community to generate mutual understanding so that there may be public support for crime prevention. Community involvement is essential to facilitate a free flow of information between the public and the department to assist in the identification of problem areas and to inform the public of crime statistics and trends. Additionally, knowledge of the community is necessary so that each department employee

may be instilled with a sense of concern for the crime problems and law enforcement needs in his assigned area of responsibility.

In many ways, crime prevention is a more worthwhile function than after-the-fact detection and apprehension. In addition to suppressing crime through visible, aggressive patrol, officers can accomplish long-term crime prevention objectives by informing citizens of ways to protect themselves and their property from criminal acts by encouraging their cooperation with the criminal justice agencies and with crime prevention programs in both the schools and the community.

204.12 Deterrence of Crime – While there are certain crimes that cannot be deterred, crimes committed against property and against innocent victims in public places are reduced by police patrol. Street crime is reduced by the potential criminal's fear of immediate apprehension or by the increased likelihood of his detection. The deterrence of crime requires the investigation of behavior that reasonably appears to be criminally directed.

In deploying patrol forces to deter crime and to inspire public confidence in its ability to ensure a peaceful environment, the department must strike a balance between the desirable deterrent effect of visible patrol and any undesirable appearance of oppression.

204.13 Apprehension of Offenders – The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of a law violator, and it has as its objective the voluntary compliance with the law as an alternative to punishment. Once a crime has been committed, it is the duty of the department to initiate the criminal justice process by identifying and arresting the perpetrator, obtaining evidence, and cooperating in the prosecution of the case.

204.14 Recovery and Return of Property – The actual costs of crime are difficult to measure. There cannot be a dollar value assigned to the bodily injuries, disrupted lives, and human misery that are its products. However, it is possible to observe the steadily mounting cost of stolen property. This loss as well as the other costs of crime must ultimately be borne by its victims. To minimize the losses due to crime, the department must make every reasonable effort to recover lost or stolen property, to identify its owner, and to ensure its prompt return. The final disposition of found, recovered and evidentiary property should be accomplished within six months after legal requirements have been satisfied.

204.15 Maintenance of Order – Another broadly interpreted function of the police might best be defined as that of a manager of social order, a definition which may include such activities as preventing or arbitrating neighborhood disputes and family fights, providing traffic escorts and direction, assisting ill or injured persons in need of emergency help, etc.

205.00 Standard of Conduct – The Law Enforcement Code of Ethics is adopted as a standard of conduct for officers of the Arlington County Police Department.

205.10 Law Enforcement Code of Ethics

"As a law enforcement officer, my fundamental duty is to serve mankind, to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

"I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

"I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

"I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

206.00 Service Attitude – Departmental employees should recognize that service to citizens and visitors to the community are a major objective of the police, and that all divisions and all employees can render this service. Personnel should try to assist citizens who are victims of crime, those who need emergency help, or those who need assistance or who would otherwise be inconvenienced by our failure to act. This kind of service can range from giving simple directions and advice to travelers, to providing victims of crime with reassurance and support.

Often, because there are no other public or private agencies available, the citizens rely upon the department for assistance and advice in the many routine and emergency situations which develop. For this reason and because there is frequently a potential for crime, the department regularly responds to incidents where it is not contemplated that an arrest will be made.

206.10 Citizen Requests for Information – The citizens of our community rely on the department for much law enforcement related and non-law enforcement related information. It is the employee's responsibility to assist these persons in achieving their objective.

When an employee does not know the correct answer to a citizen inquiry, he/she will take the name and telephone number of the inquirer and forward the inquiry to a supervisor. The supervisor will then assume the responsibility of obtaining the correct information and notifying the citizen.

No inquiries should be referred to the County Board office, the Office of the County Manager, Chief of Police or Division Commanders unless that office is the proper office for the citizen to contact.

206.11 Integrity – The public demands that the integrity of its police department be above reproach, and the dishonesty of a single employee may impair public confidence and cast suspicion upon the entire department. Succumbing to even minor temptation can ultimately destroy an individual's effectiveness and may contribute to the corruption of countless others. Employees must scrupulously avoid any conduct that might compromise the integrity of themselves, fellow employees, or the department.

206.12 Courtesy – Effective law enforcement depends upon a high degree of cooperation between the department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation, while discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by department employees. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstance is indefensible. The practice of courtesy by an employee is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes professionalism.

206.13 Community Relations – The Arlington County Police Department is committed to establishing close ties with and responding to the needs of the community. Community relations are based upon the principle that in a democratic society the police are an integral and indivisible element of the public they serve. Community relations are manifested by positive interaction between the people and the police and represents their unity and common purpose.


The department must strive for the establishment of a climate in which an employee may perform their duties with the acceptance, understanding, and approval of the public. Additionally, the willing and practiced participation of the people in enforcing the law is essential for the preservation of peace in the community. While engaging with the public, each employee must attempt to make each interaction one which inspires respect, cooperation and approval of the public.

206.14 Commitment of Resources – We as public service employees have an obligation to each citizen and every citizen. Ideally we would be able to satisfy each obligation equally, but in reality this is infrequently the case. Requests from individual citizens for special services such as increased patrol, the use of radar, premises checks, etc., should be carefully evaluated in terms of total departmental commitments before any promises are made. If such a service is promised, it is incumbent upon the officer making the promise to take immediate steps to ensure the request for service is being processed, and to qualify the promise by informing the citizen that other demands may make it impossible to comply with the request.

206.15 Work Environment – It is the policy of the Arlington County Government, and of this Department, to provide a work environment which does not subject employees to harassment or discrimination on the basis of race, sex, age, ethnic background, or religious affiliation. Further, it is an inherent responsibility of management, supervisory personnel, and employees at every level to ensure compliance with this policy.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 3 Organization & Administration	Effective Date: January 13, 2021	Amends/Supersedes: July 13, 2018 April 4, 2017 March 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.07.03, ADM.07.04			

300.00 ORGANIZATION & ADMINISTRATION

300.05 Organizational Structure and Rank – The Arlington County Police Department has an organizational structure that consists of three divisions and various sections.

- The commander of a division is an officer with the designated rank of Deputy Chief.
- The commander of a section is an officer with the designated rank of Captain.
- The designated rank or job title of supervisors for units, offices, teams and programs vary, depending upon the function or activity.
- Each organizational unit is under the command of only one supervisor.

300.10 Organizational Charts – The Chief of Police administers the department through three Deputy Chiefs, who respectively command the three divisions:

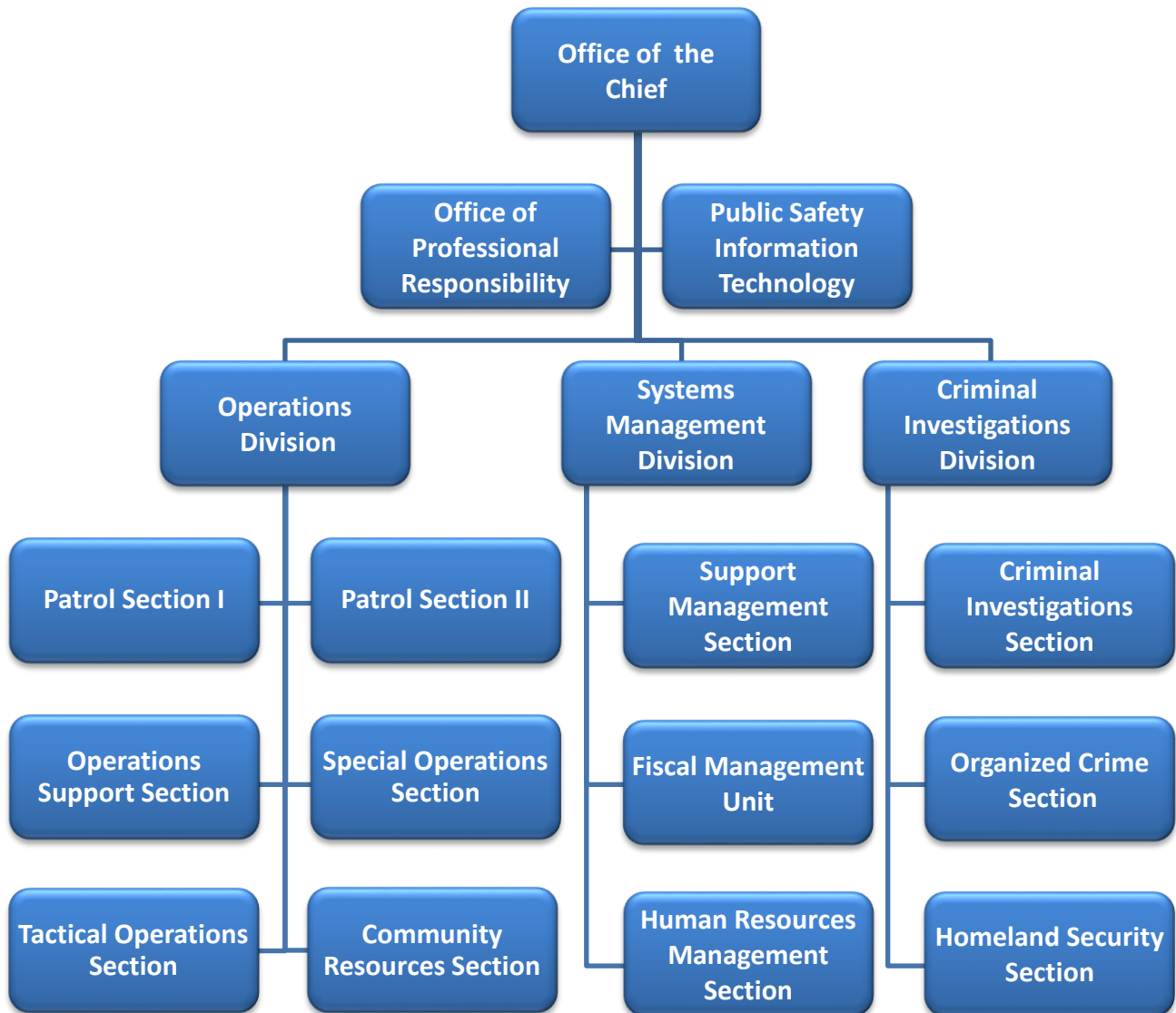
- Operations Division
- Criminal Investigations Division
- Systems Management Division

With certain exceptions, all sections, units, offices, and programs are assigned to one of these divisions. The aforementioned exceptions include the Office of Professional Responsibility, Public Safety Information Technology, and the Media Relations & Public Affairs Office all of which are organizationally assigned directly to the Office of the Chief.

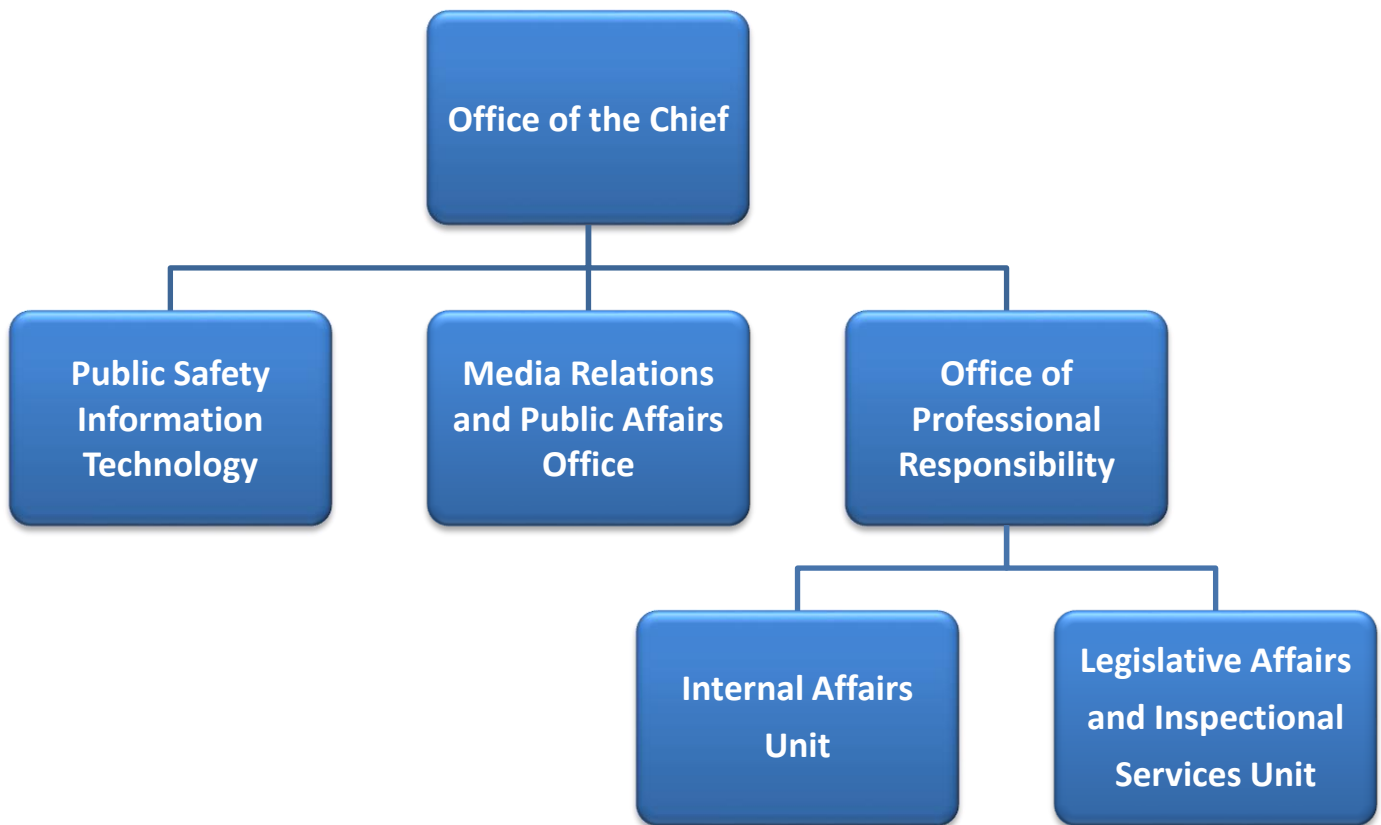
The organizational charts that follow depict administrative responsibilities and the typical flow of communication within the department:

- Executive Organizational Chart.
- Office of the Chief Organizational Chart.
- Operations Division Organizational Chart.
- Criminal Investigations Division Organizational Chart.
- Systems Management Division Organizational Chart.

Executive Organizational Chart



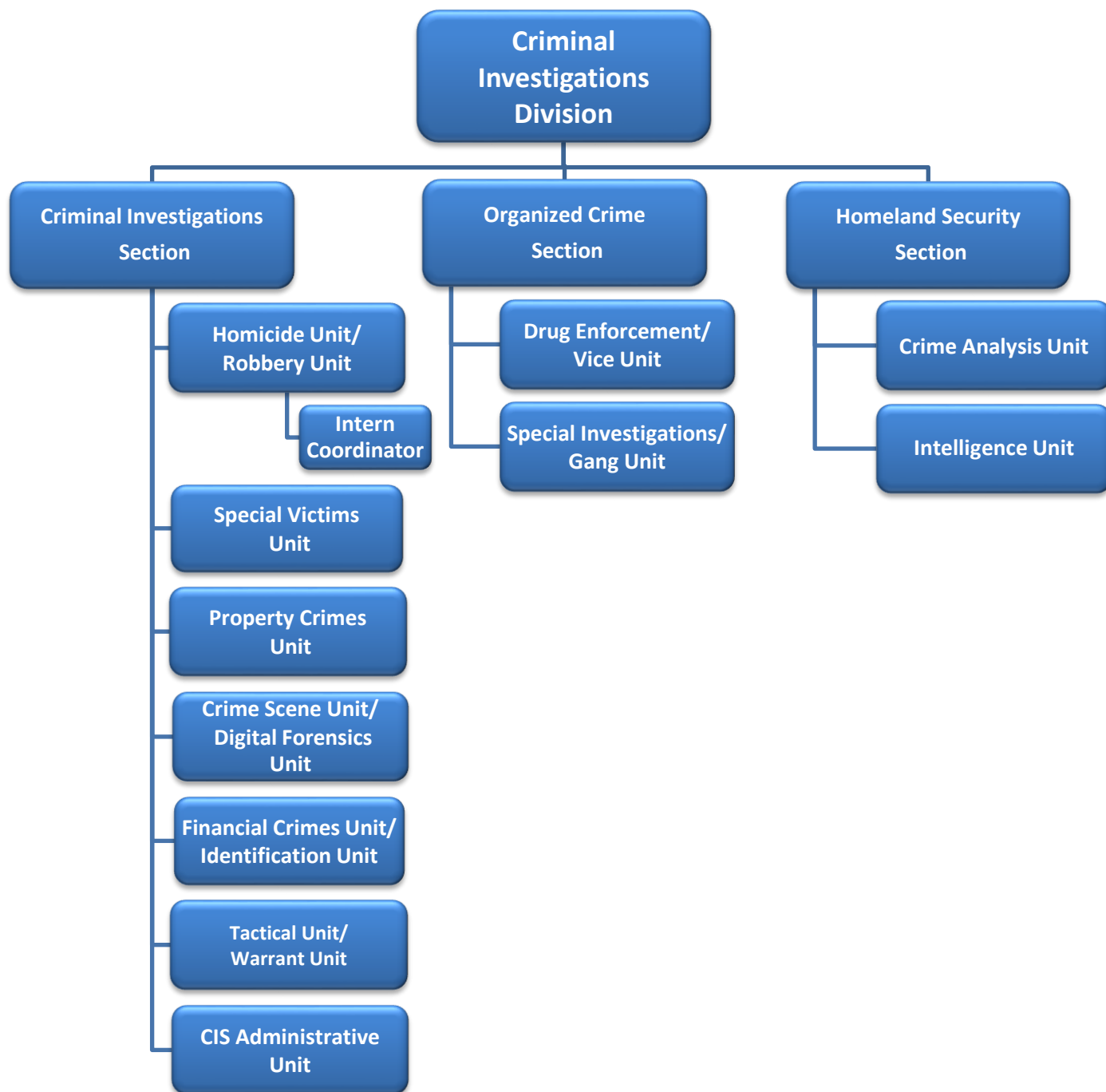
Office of the Chief Organizational Chart



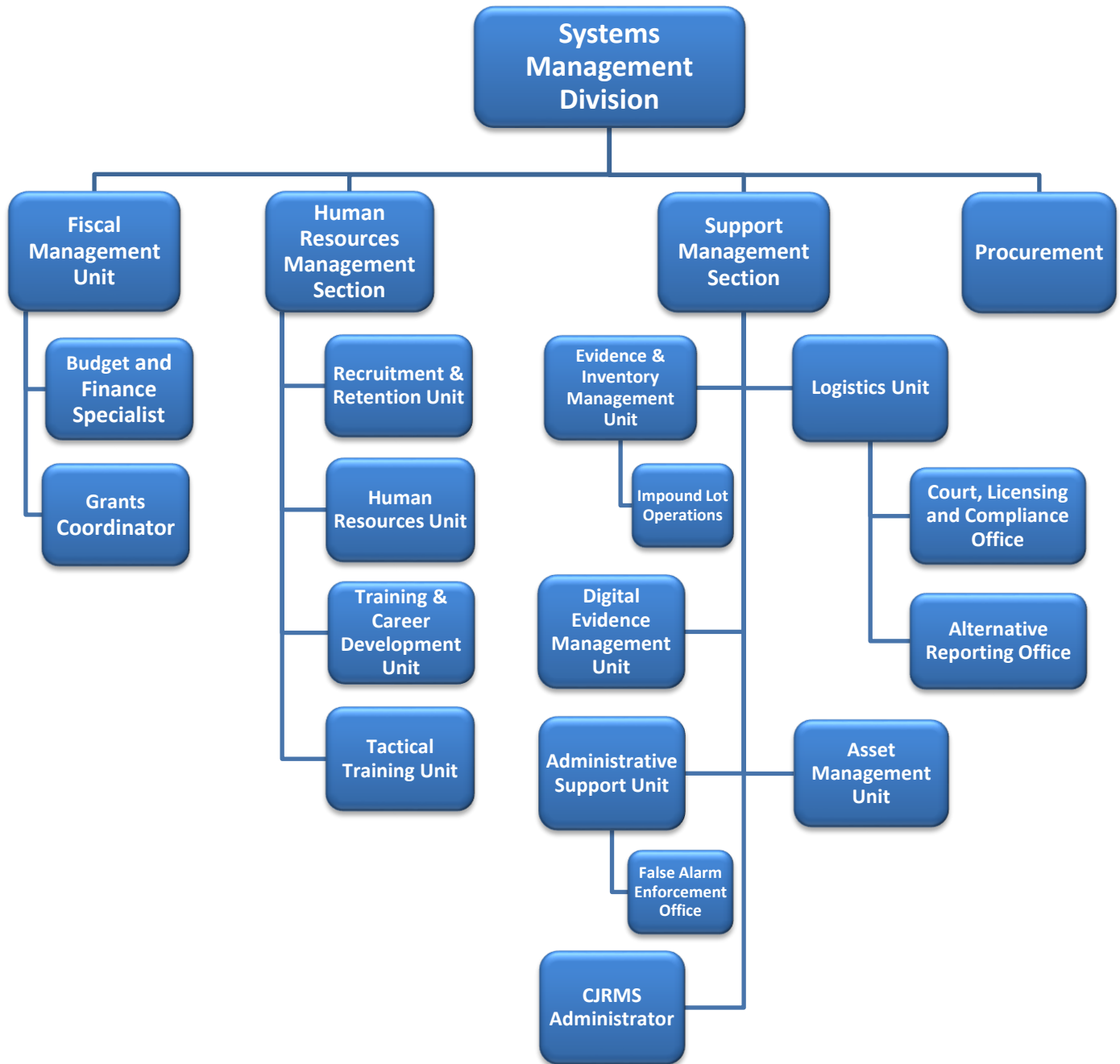
Operations Division Organizational Chart



Criminal Investigations Division Organizational Chart



Systems Management Division Organizational Chart



- 300.15 Chief of Police (Selection and Authority)** – The Chief of Police is appointed by and directly answerable to the County Manager. The Chief of Police is the chief executive officer of the department, and the final authority in all matters of policy, operations, and discipline. The Chief of Police exercises all lawful powers vested in the office and issues all lawful orders necessary to assure the effective performance of the department and its employees.
- 300.20 Responsibilities of the Chief of Police** – The Chief of Police is responsible for the enforcement of all laws and ordinances coming within the County's legal jurisdiction and for planning, directing, coordinating, controlling, budgeting and staffing all activities of the department, as well as the enforcement of rules and regulations within the department. The Chief of Police completes and submits all reports as required by law or requested by the County Manager.
- 300.25 Acting Chief of Police** – In their absence, an Acting Chief of Police will be designated by the Chief of Police or the County Manager. Such assignment will remain in effect during the absence of the Chief of Police, or for the time specified. The person assuming command shall have all the power and responsibility of the Chief of Police, except in the following instances, unless specifically authorized by the Chief of Police or the County Manager: (1) Selection and appointment of new personnel, (2) Dismissals, promotions, or demotions, (3) Modification of rules, regulations, or department policies in non-emergencies.
- 300.30 Executive Staff** – The executive staff consists of the Chief of Police and the Deputy Chiefs of Police, also known as Division Commanders. These Commanders, in consultation with other command staff members, decide the policies of the department and ensure that all divisions, sections, units, offices, teams, and programs coordinate activities in order to promote greater efficiency in accomplishing objectives of the department. Division Commanders are also accountable for the performance of employees under their immediate control.
- 300.35 Command Staff** – The command staff consists of members of the Executive Staff and Captains. Subject to direction from higher authority, members of the command staff have direct control over all employees and/or activities within their command, are accountable for the performance of employees under their immediate control and accomplishing all goals and objectives of the department.
- 300.40 Command Staff Responsibilities** – In addition to the general and individual responsibilities of all employees, command staff personnel are responsible for:
- Providing leadership, mentoring, guidance, and caring for the needs of the people under their command.
 - Directing and guiding the personnel under their command to assure the proper performance of duties and adherence to rules, regulations, policies and procedures and providing for continuation of instruction and supervision in their absence.
 - Developing challenging key elements and performance standards for employees under their direct supervision.
 - Facilitating and maintaining high morale and loyalty to the department and promoting harmony and cooperation with other divisions, sections, units, offices, teams, and programs of the department.
 - Encouraging and counseling employees on their job performance.

- Maintaining discipline, and investigating certain complaints involving personnel under their command.
- Initiating proper action in cases not regularly assigned to their command if a delay in informing the proper authority might result in failing to perform a police duty.
- Incorporating the County and department principles into the workings of the department wherever possible.
- Preparing correspondence and reports; maintaining records relating to the activities of their command; and assuring that information is communicated up and down the chain of command.
- Assuring that equipment, supplies and materials are appropriately used and maintained.

300.45 Deputy Chief of Police – A Deputy Chief of Police reports directly to the Chief of Police and is in command of a division. The Deputy Chief of Police or designee shall supervise and be responsible for all police functions and designated responsibilities assigned or implied to the division.

300.50 Captain – A Captain or designee shall be responsible for all activities of a specific section or department function. In addition to the general and individual responsibilities of all employees, a Captain is responsible for:

- Providing leadership and preserving the general good order of their command at all times to include proper care, discipline, conduct, welfare, training, mentoring and efficiency.
- Preparing and communicating all orders or other information at roll call or meetings, inspecting, correcting, and commending employees under their supervision as necessary.
- Investigating certain complaints against personnel under their command.
- Evaluating employee performance.
- Preparing reports and records as required.
- Performing as Division Commander when directed.

300.55 Supervisory Officers – Supervisory officers consist of Lieutenants and Sergeants and are in charge of one or more persons or a program. Supervisory officers are accountable for the performance of employees under their immediate control. In addition to the general and individual responsibilities of all employees, a supervisory officer is responsible for:

- Having a working knowledge of the duties and responsibilities of employees under their supervision.
- Developing key elements and performance standards for employees under their direct supervision.
- Directing the activities of employees under their supervision in order to encourage professional growth.
- Helping employees to understand and share the department's vision.
- Incorporating the County's and department's principles into the workings of day-to-day operations wherever possible.
- Commending personnel for good work and ensuring this information is provided to others as necessary.

- Exercising direct command in a way that assures the good order, conduct, discipline and efficiency of employees under their supervision.
- Observing public contacts by employees under their supervision and being available to assist or instruct the employees under their supervision.
- Counseling employees on their job performance.
- Inspecting activities, personnel and equipment under their supervision and initiating corrective action when necessary.
- Investigating certain types of complaints.
- Responding to emergencies or calls of major consequence.
- Ensuring compliance with department policies and procedures.
- Soliciting comments from employees to enhance the quality of service delivery.

300.60 Acting Patrol or Section Commander – In the absence of the Patrol or Section Commander, an Acting Patrol or Section Commander will be designated by the Patrol or Section Commander or the Division Commander. Such assignment will remain in effect during the absence of the Patrol or Section Commander or for the time specified. The person assuming command shall have all the power and responsibility of the Patrol or Section Commander.

300.65 Watch Commander – A Watch Commander is on duty 24-hours per day, seven days a week. The Watch Commander holds the rank of Lieutenant and is assigned to a Patrol Section Commander. In their absence, and with approval from the Patrol Commander, the Watch Commander may hold the rank of first Sergeant. The Watch Commander is responsible for all operational activities during a given watch, unless relieved by a higher-ranking officer.

300.70 Delegated Authority – The duties or assignments of command staff or a supervisory officer may be delegated to a supervisor of lesser rank. However, the overall responsibility for completion of those duties remains with the command staff or supervisory officer delegating the duties. Each employee of this department is vested with the authority and responsibility to make decisions necessary to accomplish the assigned task. Each employee is accountable for the use of such delegated authority.

300.75 Immediate Supervision – To achieve effective direction, coordination, and control, the number of employees under the immediate control of a supervisor shall not be excessive. Under normal day-to-day operations, a first line supervisor should not supervise more than 15 employees. At higher levels in the organization, the number of employees would typically be less. The maximum number of employees under the supervision of each supervisor will be at the discretion of the Chief of Police or the Deputy Chief of Police of each division within the department. Each organizational component shall be under the direct command of only one supervisor and each employee shall be accountable to only one supervisor at any given time.

300.80 Emergency Command – In an emergency that requires action under a single command, all personnel and equipment of the department will be under the personal command of the Chief of Police, or the Acting Chief of Police. In the absence of the Chief of Police, the responsibility for the effective operation of the department shall be established under the Continuity of Operations Command which is in order of seniority from Deputy Chief to Captain, unless otherwise specified by the Chief of Police.

300.85 Command Protocol – In normal day-to-day operations, command protocol shall parallel the chain of command unless otherwise specified within this section of the manual. Command staff who are going to be absent from their command for a temporary amount of time shall name a designated commander during their absence. This information will be provided to the following:

- The Chief of Police.
- The respective division commander.
- All employees under their command.

In certain situations, (e.g. extended absences), the designated commander may be named by the Chief of Police. Unless specified differently elsewhere, the commander of a situation involving employees of different functions engaged in a single operation shall be the commander whose assignment is most closely related to the situation.

300.90 Non-sworn Supervisor – A non-sworn supervisor is in charge of one or more persons or a program and is accountable for the performance of employees under their immediate control. In addition to the general and individual responsibilities of all employees, a non-sworn supervisor is responsible for the same elements listed in section 300.55 of this directive titled *Supervisory Officers*.

310.00 Office of the Chief – The Office of the Chief consists of the department's chief executive officer (Chief of Police) and subordinate units that are not assigned to a division.

310.10 Public Safety Information Technology (PSIT) – PSIT is responsible for all technology operations for Arlington County Public Safety departments. Their responsibilities include hardware, software and applications operations. The PSIT also provides user support to employees of the Police Department, Fire Department, Sheriff's Office, and Office of Emergency Management. The PSIT is overseen by a civilian manager who reports to and receives direction from the PSIT Governance Board. The PSIT Governance Board is comprised of the following individuals:

- Deputy County Manager
- County Information Officer
- Chief of Police
- Fire Chief
- Sheriff
- Director of the Office of Emergency Management
- Director of the Department of Management and Finances
- Director of Human Resources
- Public Health Division Chief

310.20 Media Relations and Public Affairs Office

- Functions as the official spokesperson for the department.
- Prepares and distributes the *Daily Crime Report* and/or *Information Sheet*, to include summaries of police reports, administrative announcements, and similar items of information.
- Produces communication writing to include press releases, publications, marketing tools, and educational information.
- Responds to active police scenes and provides public safety information to the media.

- Receives and responds to information requests from the news media and the public.
- Initiates media coverage of the Police Department to highlight efforts, accomplishments, and/or investigative updates.
- Establishes and maintains effective working relationships with members of the press and those interested in the ACPD's activities and performance.
- Manages the department's social media as an avenue to engage and interact with the public.
- Represents the department on the Arlington County Crime Solvers Board.

310.30 Office of Professional Responsibility (OPR) – The Office of Professional Responsibility reports directly to the Chief of Police and consists of the Internal Affairs Unit and the Legislative Affairs and Inspectional Services Unit. Its activities include managing the administrative functions of the Chief's Office, assisting in internal investigations, coordinating reviews such as command vehicle inspections, project prioritization, assignment and follow-up, event planning, and other special projects as assigned by the Chief of Police.

310.31 Internal Affairs Unit (IAU) – The Internal Affairs Unit is responsible for recording, registering and controlling the investigation of alleged or suspected misconduct within the department; conducting other investigations assigned by the Chief of Police and maintaining the confidentiality of Internal Affairs Unit investigations and records. The Internal Affairs Unit is also responsible for the coordination of grievance procedures, and the maintenance, control, and annual analysis of grievance records as well as the facilitation and maintenance of records related to civil subpoenas and requests for information under the Virginia Freedom of Information Act.

310.32 Legislative Affairs and Inspectional Services Unit (LAISU) – The LAISU's primary function includes monitoring and participating in the Virginia General Assembly's legislative process and interacting with County government on matters related to policy and/or the enactment or amendment of local ordinances that could impact the department. Additionally, the Legislative Affairs and Inspectional Services Unit:

- Performs or coordinates the development, revision, and dissemination of Manual directives, special orders, standard operating procedures, and similar documents relating to department policy and procedure.
- Conducts internal inspections and audits.
- Manages the accreditation process.
- Oversees the development and administration of the Strategic Management Plan.
- Conducts research on a variety of issues relevant to law enforcement.
- Participates in regional law enforcement planning organizations.
- Administers the PowerDMS document management system.
- Maintains the department's inter-agency agreements.

320.00 Operations Division – The commanding officer of the Operations Division is a Deputy Chief who reports directly to the Chief of Police. This division is responsible for 24-hour police patrol, providing coordination and training for the Field Training Officer (FTO) program, community policing, school resource officers, crossing guards, special operations, traffic and parking enforcement, and auxiliary officers. The Operations Division consists of the Patrol, Special Operations, Community Resources, Operational Support, and Tactical Operations Sections.

320.10 Patrol Sections – Patrol Commanders perform administrative and disciplinary oversight over their respective watches, and report to the Deputy Chief of the Operations Division. Patrol Commanders retain specific oversight regarding:

- Leave and payroll activities.
- Performance appraisals.
- Disciplinary investigations and related personnel actions.
- Employee counseling.
- Unit-level training.
- Maintenance of equipment.
- General supervision.
- Field Training Officer Program

To properly discharge these responsibilities, Patrol Commanders shall periodically work the same hours as their assigned watch and shall observe the watch in the field. When performing this duty, Patrol Commanders may assume the position of Watch Commander, in place of the Lieutenant normally assigned to that function.

320.20 Special Operations Section (SOS) – The Commander of the Special Operations Section (SOS) is responsible for the administration and operation of the Transportation Safety Unit, Public Service Aide Unit, the Crossing Guard Unit and the Photo Red Light Program. The SOS Commander reports to the Operations Division Commander.

320.21 Transportation Safety Unit – The Transportation Safety Unit is responsible for enforcing traffic laws and directing traffic at crashes, intersections, parades, and community functions. The unit also performs other duties consistent with their specialized responsibility, such as motor carrier inspection, traffic analysis, dignitary protection, and escort details. Motorcycle officers are assigned to this unit. The Lieutenants of this unit reports to the section commander.

320.22 Public Service Aide Unit – The Public Service Aide Unit is responsible for enforcing parking ordinances and assisting in the school crossing guard function. The unit also performs other non-law enforcement duties during special events and functions as directed by the section commander. The Sergeant of this unit reports to the Special Events Lieutenant.

320.23 School Crossing Guard Unit – The School Crossing Guard Unit is responsible for providing vehicular and pedestrian traffic control at designated locations to promote maximum safety in the movement of children to and from school. The unit also performs other non-law enforcement duties during special events as directed by the section commander. The supervisor of the unit is a civilian who reports to one of the Transportation Safety Unit Lieutenants.

320.24 Photo Red Light Program – The Photo Red Light Program is part of the SOS and is responsible for the digital video camera system that records violators as they approach and travel through a red-light intersection in the County. When a camera is activated by a violation, notices will be mailed to the registered owner. If the violation is contested, a special police officer assigned to the SOS will review the appeal and review all contested citations a second time. At that time, a determination is made whether enough evidence exists to move the case forward for adjudication by the court. If evidence does not exist, the citation is dismissed, and the owner notified. The SOS will be responsible for presentation of contested cases in court. The program's non-sworn member reports to one of the Transportation Safety Unit Lieutenants.

- 320.30 Community Resources Section** – The Community Resources Section consists of the School Resources Officer Unit and the Community Outreach Unit both of which actively and directly engage the community in order to prevent and resolve quality of life issues on campus, and in residential and commercial areas.
- 320.31 School Resource Officer Unit (SRO)** – The School Resource Officer Unit is comprised of officers who work in the County’s public and parochial schools, educating students regarding good citizenship, personal ethics and responsibility, the importance of obeying the law, and the role of police in society. In order to deter juvenile delinquency, SROs sponsor school activities, provide guidance and counseling, and participate in mentoring programs, SROs coordinate the Safety Patrol Program, conduct preliminary investigations of crimes occurring on school property, and take appropriate actions to protect the school community.
- 320.32 Community Outreach Unit** – The Community Outreach Unit works as a liaison between the public and the police department to identify and resolve quality of life issues through the coordination of community resources and by working collaboratively with business improvement districts and civic and citizen associations to resolve their concerns.
- 320.40 Operations Support Section** – The Operations Support Section consists of the Auxiliary Police Unit, Business Outreach Unit, LGBTQ+ Liaison Team, the Office of Emergency Management Liaison, and the Department of Human Services Liaison.
- 320.41 Auxiliary Police Unit** – Auxiliary Police Officers are sworn unarmed volunteers that may be called into service by the chief of police in times of public emergency, if there are insufficient numbers of regular officers available for duty, or at any time for training.
- 320.42 Business Outreach Unit** – The Business Outreach Unit focuses on establishing relationships within the business community in an effort to improve communications and address public safety concerns. This unit is also responsible for the Arlington Restaurant Initiative (ARI) a collaborative approach between government agencies and businesses, to improve the strategies and standards of establishments serving alcohol while building positive community relations, reducing crime and recognizing responsible businesses.
- 320.43 LGBTQ+ Liaison Team** – The LGBTQ+ Liaison Team is comprised of volunteer officers who provide liaison services to the LGBTQ+ communities. The team also serves as a training and advisement resource for the department where LGBTQ+ issues are concerned. Each team member is officially assigned to another component of the department and performs LGBTQ+ Liaison Team functions in addition to their regularly assigned duties. The team is directed by a coordinator assigned by the Chief of Police.
- 320.44 Department of Human Services (DHS) Liaison** - This position is staffed by a Lieutenant and is a collaborative partnership between the Police Department and the Department of Human Services (DHS) to bring about improved outcomes for individuals affected by mental illnesses or suffering a crisis, by connecting them to mental health programs and services and diverting them away from the criminal justice system whenever possible.
- 320.45 Office of Emergency Management (OEM) Liaison** – This position is staffed by a Lieutenant and is a collaborative partnership between the Police Department and the Office of Emergency Management to ensure a coordinated effort in emergency preparedness and response capabilities.

- 320.50 Tactical Operations Section (TOS)** – The Tactical Operations Section consists of the Emergency Response Team, the Civil Disturbance Team, Hazardous Incident Response Group, and the Canine Unit. Each component of the TOS specializes and trains for a specific law enforcement mission and are generally deployed during high risk incidents. The commander of this section reports directly to the Deputy Chief of the Operations Division.
- 320.51 Emergency Response Teams (ERT)** – The Emergency Response Teams consist of the Special Weapons and Tactics (SWAT) Team, the Tactical Operations Center (TOC), and the Crisis Negotiation Unit (CNU). The SWAT Team contains situations and resolves incidents involving barricaded persons, hostages, snipers or ambushes, provides support during other high-risk operations, and when requested, assists with serving search/arrest warrants involving potentially violent situations. The TOC gathers intelligence and briefs the SWAT Team prior to deployments and is involved in logistics and communications support as well. The CNU conducts negotiations involving hostages or barricaded persons. The assistant SWAT and CNU commanders are Lieutenants and the TOC lead is a Sergeant or Lieutenant appointed by the Chief of Police, after consulting with the TOS Commander. (See Manual directive 537.04 *Emergency Response Team*.)
- 320.52 Civil Disturbance Unit** – The Civil Disturbance Unit (CDU) consists of personnel with additional training in effectively managing all types of gatherings/demonstrations. The objective of the CDU is to provide an additional tool for the police department to respond to demonstrations and civil unrest in a safe, efficient and effective manner. The assistant CDU commander is a Lieutenant appointed by the Tactical Operations Section (TOS) Commander in conjunction with the Deputy Chief of Operations.
- 320.53 Canine Unit** – The Canine Unit is administratively assigned to the Tactical Operations Section but serves the entire Operations Division (see Manual directive 537.06 *Canine Patrol* for additional duties.)
- 320.54 Hazardous Incident Response Group** - The Hazardous Incident Response Group consists of specially trained personnel with expertise in the prevention, detection, and response to incidents involving chemical, biological, radiological, nuclear, and explosive (CBRNE) threats. The members of this group assist in the handling of both criminal and non-criminal hazardous substance releases and investigations, as well as coordinating CBRNE prevention and response planning for large events and operations. Personnel assigned with this group work in close coordination with the Criminal Investigations Division and the Arlington County Fire Department.
- 330.00 Criminal Investigations Division (CID)** – The commanding officer of the Criminal Investigations Division is a Deputy Chief who reports directly to the Chief of Police. This division consists of the Criminal Investigations Section, the Organized Crime Section, and the Homeland Security Section.
- 330.10 Criminal Investigations Section (CIS)** – The Criminal Investigations Section consists of the following units - Homicide/Robbery Unit, Special Victims Unit, Property Crimes Unit, Crime Scene/Digital Forensics Unit, Financial Crimes/Identification Unit, Tactical/Warrant Unit, and the CIS Administrative Unit. Detectives are responsible for the successful investigation of felonies, serious misdemeanors, and other selected incidents and for identifying, apprehending, interviewing, and preparing cases for successful prosecution. The commander of this section reports to the Division Commander. The Lieutenants of each unit within CIS report to the Section Commander.

- 330.11 Homicide/Robbery Unit** – The Homicide/Robbery Unit is responsible for the preliminary and follow-up investigation of all homicides and has investigative responsibility of other death cases; assaults, (other than domestic violence); robberies; malicious wounding, extortions, weapons firing offenses and brandishing, assault and battery on police officers, missing persons, and other crimes against persons.
- 330.12 Special Victims Unit (SVU)** – The Special Victims Unit investigates domestic violence cases, child abuse complaints, and all sex crimes perpetrated against adult and juvenile victims, to include rape, carnal knowledge, sodomy, object penetration, aggravated sexual battery, indecent liberties, indecent exposure, peeping tom, enticement cases as well as stalking and harassing communications. The unit also participates in the *Internet Crimes Against Children (ICAC)* Task Force which conducts undercover child exploitation and child sexual abuse investigations by means of the internet. Members of the unit that conduct these undercover investigations must be trained and certified in the appropriate investigative methods. Additionally, the unit shares information, makes referrals, coordinates its activities, with other groups and agencies such as the Commonwealth's Attorney's Office, Child Protective Services, Arlington Victim/Witness Program, Juvenile and Domestic Relations District Court, probation and parole, and the Virginia State Police Sex Offender and Crimes against Minors Registry program.
- 330.13 Property Crimes Unit** – The Property Crimes Unit conducts follow-up investigations of crimes against property including residential and commercial burglaries, auto thefts and recoveries, certain larcenies, arsons, and other crimes involving property which are not within the scope of any other unit. Additionally, this unit coordinates the administrative and enforcement functions pertaining to pawn shops and secondhand dealers and processing of all handgun purchase applications.
- 330.14 Crime Scene/Digital Forensics Unit** – The Crime Scene Unit is responsible for assisting investigators in identifying, documenting, collecting and preserving evidence at major crime scenes including, but not limited to homicides, suicides, sexual assaults, armed robberies, shootings and suspicious deaths. The Lieutenant assigned to this unit is also in charge of the Digital Forensics Unit which is responsible for assisting personnel with the seizure, storage, recovery, and analysis of computer equipment and magnetic or electronic storage devices or media.
- 330.15 Financial Crimes/Identification Unit** – The Financial Crimes Unit is responsible for investigating embezzlement, forgery and uttering, computer crimes, credit card and bank fraud, counterfeit currency, identity theft, false pretense, failure to pay for services rendered, and related crimes. The Lieutenant assigned to this unit is also in charge of the Identification Unit. The Identification Unit is responsible for comparing latent print evidence in criminal cases, performing other miscellaneous, technical and laboratory functions, maintaining latent print and photographic files (e.g., mug shots) and providing technical expertise to field units where the collection and processing of physical evidence is concerned. Identification personnel are required to give court testimony relating to procedures and results. Employees are members of the *Northern Virginia Regional Identification System (NOVARIS)* and conduct inquiries in the Commonwealth of Virginia's *Automated Fingerprint Identification System (AFIS)*.

- 330.16 Tactical/Warrant Unit** – The TAC Unit performs a wide variety of intelligence and crime suppression activities, as well as assorted undercover and surveillance operations based upon the investigative and operational needs of the department. The Lieutenant assigned to this unit is also in charge of the Warrant Unit, which handles warrants and summonses obtained or received from any source. They are responsible for the apprehension of persons with outstanding warrants in Arlington, or in any other jurisdictions for which a warrant has been issued. The Warrant Unit is also responsible for coordinating the extradition of subjects wanted in Arlington County.
- 330.17 Criminal Investigative Section Administrative Unit** – The CIS Administrative Unit performs clerical and administrative duties in support of CIS staff.
- 330.20 Organized Crime Section** – The Organized Crime Section (OCS) is responsible for conducting investigations into violations of narcotics and dangerous drug laws, vice crimes, and gang related crimes/activity and for collaborating with local, state, and federal agencies during the course of more complex investigations. This section consists of the Drug Enforcement/Vice Unit and the Special Investigation/Gang Unit. The Commander of this section reports to the Deputy Chief of the Criminal Investigations Division.
- 330.21 Drug Enforcement/Vice Unit** – The Drug Enforcement Unit is responsible for investigating drug-related offenses and enforcing narcotic laws. The Lieutenant assigned to this unit is also in charge of the Vice Unit and it is responsible for investigating vice-related incidents; enforcing laws pertaining to bookmaking, gambling, obscenity, pandering, prostitution and commercialized sex.
- 330.22 Special Investigations/Gang Unit** – The Special Investigations Unit is responsible for the use and maintenance of equipment/tools for surveillance and documentation purposes during investigations or intelligence gathering. Members of this unit also serve on various regional committees and task forces related to narcotics investigations, prescription fraud, and money laundering. The Lieutenant assigned to this unit is also in charge of the Gang Unit which performs gang intelligence, suppression, and education activities, as well as surveillance operations.
- 330.30 Homeland Security Section** – The Homeland Security Section reports directly to the Deputy Chief of the Criminal Investigations Division. The section is divided into the Crime Analysis Unit and the Intelligence Unit and functions to collect, organize, consolidate and disseminate terrorism related intelligence acquired within or that directly affects Arlington County; provides a sworn representative to the Joint Terrorism Task Force (JTTF); serves as a liaison with various federal, state, local, and private agencies in terrorism related matters; provides training to sworn personnel on the investigation and documentation of individuals on the *Terrorist Screening Center* watch list or individuals suspected of terrorism related activities; and provides investigative assistance related to bomb threats and terrorism related matters.
- 330.31 Crime Analysis Unit** – The Crime Analysis Unit reviews all police case reports and field investigations (FI); performs daily crime analysis using those reports and disseminates the findings to affected commands. It provides analytical reports and maps to other members of the department, as well as to the public and other law enforcement agencies. Maintains relationships with state, local and Federal agencies to promote information sharing. Additionally, the unit collects, organizes, analyzes, maintains and disseminates information concerning specific crimes, criminal activity and/or terroristic threats in order to help the department and its law enforcement partners prevent, prepare, manage, and respond to criminal threats directed at the community.

- 330.32 Intelligence Unit** – The Intelligence Unit monitors, analyzes, and develops intelligence by mining online resources including social media communication activity. Social media investigations include evidence collection, location of suspects, and criminal network identification, and advance warning of events that could require a police response. All actionable intelligence is communicated to the appropriate criminal investigator and/or patrol sections.
- 340.00 Systems Management Division** – The commanding officer of the Systems Management Division is a Deputy Chief who reports directly to the Chief of Police. This division is responsible for various management, operational, and technical activities and consists of the Fiscal Management Unit, Procurement, Human Resources Management Section, and the Support Management Section.
- 340.10 Fiscal Management Unit (FMU)** – The FMU provides services in five key areas:
- Budget Development - Prepares the department's fiscal year and line item budgets, monitors the Capital Improvement Program, works with Human Resources for position control, works closely with the Organized Crime Section regarding seized assets management, maintains contact or liaison with other County agencies and outside organizations or vendors in reference to fiscal or budget matters.
 - Revenue Accounting – Monitors expenses and revenues.
 - Payment – Prepares all accounting transactions, reviews travel, training, and purchase card expenses. Employees assigned to the FMU report directly to the Deputy Chief of the Systems Management Division.
 - Special Financial Projects – Prepares the department's audit and reimbursement packages for task forces and special details.
 - Grants – Seeks out funding opportunities, submits applications, ensures compliance with all grant program requirements, completes financial/programmatic reports, manages grant funded equipment, and completes close-out requirements.
- 340.20 Procurement** – The procurement specialist initiates the department's contractual needs, monitors the department's contracts, works with County Purchasing on contract renewals, reviews and validates the department's requirements for goods and services.
- 340.30 Human Resources Management Section** – The commander of this section, which is comprised of the below-listed units, reports to the Deputy Chief of the Systems Management Division.
- 340.31 Human Resources Unit** – The Human Resources Unit is responsible for:
- Maintaining personnel and pay records.
 - Reporting time and attendance.
 - Disseminating information regarding employee benefits.
 - Completing required forms.
 - Performing scheduled workload assessments and manpower allocation studies.
 - Maintaining liaison with the County government's personnel officials on personnel, recruitment, and pay matters.
 - Administration of off-duty employment.

340.32 Recruitment and Retention Unit – The Recruitment Unit conducts pre-employment character and background investigations. Additionally, this unit sets and monitors the department's targeted hiring goals.

340.33 Training and Career Development Unit

- Maintains training records and certifications for all sworn staff.
- Develops and implements training programs for recruits and in-service personnel.
- Provides career track courses for sworn officers.
- Works with the regional training facility (Northern Virginia Criminal Justice Training Academy).
- Establishes EVOC/MEVO curriculum to improve driving skills of staff.

340.34 Tactical Training Unit (TTU) – The Tactical Training Unit is responsible for firearms and related training of all sworn officers. Additional responsibilities include working to improve firearms qualifications for the department and linking all tactical training (e.g., firearms, control tactics, Taser and tactical preparedness) in order to enhance the decision-making and technical skills of officers.

340.40 Support Management Section – The commander of this section is a Captain and oversees the Evidence & Inventory Management Unit, Digital Evidence Unit, Asset Management Unit, Logistics Unit, and Administrative Support Unit. The commander reports to the Deputy Chief of the Systems Management Division.

340.41 Evidence & Inventory Management Unit – The Evidence & Inventory Management Unit responsibilities includes, requisitioning, custody, control, and disposition of property, equipment and evidence entrusted to the department. This unit issues uniforms and supplies to employees and maintains various department contracts and also ensures the chain of custody for evidence through proper security measures as directed by department policy and standard operating procedures.

The Evidence & Inventory Management Unit is also responsible for directing all activities of the Impound Lot, including the disposal of impounded vehicles and bicycles not retrieved by owners, and administering the department's contract for towing services. This office sends notice letters to owners or lien holders whose vehicle is in custody. Records of vehicles, which have been towed/released or impounded, tow lists and financial records pertaining to auctioned or salvaged vehicles are all maintained by this office. This office also assists in resolving citizen questions and problems regarding impounded vehicles or storage. The commander of this unit is a Lieutenant and reports to the Support Management Section Commander.

340.42 Digital Evidence Management Unit - The unit manages the department's cloud-based digital evidence management system (DEMS), which provides officers, supervisors, and command staff the ability to upload, manage, review, share and process digital evidence captured by body worn cameras, in-car cameras, and interview room cameras. The commander of this unit is a Lieutenant and reports to the Support Management Section Commander.

340.43 Asset Management Unit - The Asset Management Unit is responsible for ensuring the readiness of all departmental vehicles and for coordinating repairs and tracking vehicle maintenance.

340.44 Administrative Support Unit (ASU) – The Administrative Support Unit assists the community and other organizations by providing information regarding police department services and resources. Other responsibilities include:

- Serves as the department's repository for incident reports, traffic crash reports, investigative reports, arrest records, and parking tickets.
- Disseminates incident reports, traffic crash reports, investigative reports, and arrest records in accordance with established procedures.
- Performs data entry services for the department's Law Enforcement Records Management System (LERMS).
- Reports criminal and non-criminal incident information to the Virginia State Police under the National Incident Based Reporting System (NIBRS).
- Arranges the destruction of records in accordance with established records retention schedules, and/or serves as the point of retrieval for archival files.
- Distributes summons (e.g. VUS) for officers' use.
- Collects fees from the public for copies of vehicle crash reports, verification letters regarding a reported crime, and criminal history checks (all other fees are paid to the County Treasurer).
- Releasing impounded vehicles, collecting boot and storage fees, issuing bicycle registrations.
- Assist the Telephone/Online Reporting Office in taking case reports.

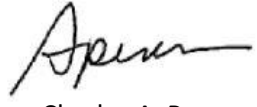
340.45 Logistics Unit – This unit consists of:

- 1) Court, Licensing, and Compliance Office** – The Court, Licensing, and Compliance Office is responsible for processing applications for hack licenses, special police commissions, solicitors' permits, vendors' permits, gold and silver dealer's permits, and permits to carry concealed weapons. The officer assigned to this office enforces County ordinances pertaining to the taxicab industry, collects fees from citizens who request licenses or permits, and maintains a record of charitable organizations that solicit contributions within Arlington County. Additionally, the Court, Licensing, and Compliance Unit is responsible for maintaining an effective communication system between the Department, Office of the Commonwealth's Attorney and the court system. Records kept by this unit include information regarding officers' court dates, summonses, parking tickets, subpoenas to be served on officers, daily traffic court dockets, criminal court cases, and continuances. The Court Liaison also keeps officers abreast of any changes in court policies or procedures, which may affect their dealings with the court. Employees of this office report to the Sergeant assigned to the Logistics Unit.
- 2) Alternative Reporting Office (ARO)** – The Alternative Reporting Office is responsible for providing citizens with an alternative method of filing reports and improving the operating efficiency and effectiveness of the department by encouraging citizens to report selected incidents by telephone or online. Walk-in reports are completed by ARO or Logistics Unit personnel. ARO personnel are also responsible for providing information and assistance to the general public and police department personnel. Employees in this office report to the Logistics Unit supervisor.

- 340.46 Criminal Justice Records Management System (CJRMS) Administrator** - Ensures system administration of the Law Enforcement Records Management System (LERMS) for the Police Department by providing user management and application support of the system. Provides LERMS user training to staff. Maintains relationships with Public Safety Information Technology (PSIT) and other appropriate outside agencies.
- 350.00 Specialized Teams** – Specialized teams provide ancillary support to the department and are tasked with a specific mission that generally requires specialized training. These teams are activated for training and operational purposes.
- 350.10 Critical Accident Team (CAT)** – The Critical Accident Team responds to critical accidents when requested by a supervisor. The CAT team's primary responsibility is to conduct the necessary follow up investigation for each critical accident investigated; however, the team may be called upon to do the initial investigation of a critical accident. Operationally, the CAT is assigned to CIS and is activated only when needed.
- 350.20 Honor Guard** – The Honor Guard is the official representative of the department at various functions and ceremonies such as parades, fairs and funerals. The Chief of Police designates the commander of this team. The Honor Guard commander coordinates the activities of the Honor Guard including selecting members from volunteers from any rank. Each member of the Honor Guard is permanently assigned elsewhere in the department. The Honor Guard is activated only when needed.
- 350.30 Peer Support Team** – The Peer Support Team is composed of volunteer employees who have been specially trained to provide peer counseling to employees who have been involved in critical incidents. Their mission is to assist employees in overcoming the effects of an incident as quickly as possible so that it will have minimal impact on their personal life and professional performance. A supervisor who is appointed by, and reports to, the Chief of Police coordinates the efforts of the Peer Support Team.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: February 16, 2021	Amends/Supersedes: June 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.25.02, ADM.25.03, ADM.25.05, ADM.25.07			

522.03 Records and Information Management

I. Policy

The Administrative Support Unit (ASU) performs a critical support function as the custodian of department records and bears responsibility for the retention and release of sensitive law enforcement information in a legally, efficient, and customer focused manner.

II. Procedure

A. Police Reports

1. ASU is responsible for the quality assurance of information submitted by officers and for merging all approved reports into LERMS. Additionally, ASU is tasked with:
 - a. The review of all case reports and correcting or rejecting reports that contain incorrect, incomplete, and/or missing information and returning them to the reporting officer or their supervisor for revision.
 - b. Scanning and converting case related forms and documentation that are not digitized into the appropriate electronic format for inclusion in the case report or crash report.
2. Police reports which relate to a criminal investigation or prosecution are exempt from mandatory disclosure under Virginia Code [§ 2.2-3706. Disclosure of criminal records; limitations.](#), and will not be released to the public by the ASU. Individuals seeking these documents should file a FOIA request with the Office of Professional Responsibility.
3. The Administrative Support Unit provides copies of police reports to ACPD personnel and to the personnel of other criminal justice agencies, upon request.
4. A citizen may request a Police Incident Report Verification either in-person at the ASU or by mail. The distribution of this information is limited to victims, complainants, and reporting parties. The verification includes the following information from the original report:
 - a. The victim's name.
 - b. The incident's address.
 - c. The offense.
 - d. The report number.

- e. A brief summary.
 - f. Any stolen/damaged items.
 - g. Any injuries received.
5. Suspects, arrestees, or attorneys representing such individuals will not be provided with Police Incident Report Verifications but should be instructed to contact the Office of Professional Responsibility if they have any questions.

B. Crash Reports

1. The ASU processes all crash reports, including property damage only crash reports submitted online using the ACPD's Online Police Reporting System.
2. The ASU will forward copies of all traffic crash reports to the Virginia State Police and the Arlington County Transportation Engineering & Operations (TE&O) Bureau within the Department of Environmental Services.
3. The ASU will forward copies of crash reports involving Arlington County vehicles or other County-owned property to the Arlington County Office of Risk Management.
4. Citizens may use the department's crash report portal to obtain a secure copy of their crash report or they can get a copy by mail or in-person at the Administrative Support Unit office. The fee associated with these reports can be paid by cash or credit card. Crash reports may be obtained by the following:
 - a. An individual directly involved in the crash and whose name is listed in the crash report.
 - b. The owner of the property involved in the crash.
 - c. An injured passenger or pedestrian.
 - d. An insurance company or attorney representing person(s) involved.

C. Hate Crime Reporting

The ASU forwards any report judged to be a hate crime, regardless of the report's official crime classification to the Virginia State Police. Hate crimes are not separate, distinct offenses, but rather reported crimes motivated by the offender's bias that would lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias against race, religion, disability, ethnicity or sexual-orientation. See Manual directive *531.05 Hate Crime*.

D. Criminal History Background Checks

1. The ASU will provide criminal history background checks in person or by mail. These background checks only include arrests made by the ACPD. A valid, unexpired government-issued photo ID is required and includes one of the following - Driver's license, Passport/Visa, or Government-issued ID card.


2. Individuals who live within the Washington Metropolitan area must appear at the ASU in-person to obtain a criminal history background check. Individuals that reside outside of the metro area are permitted to mail in their request by completing a *Criminal History Record Information Request* form available on ACPD's website.
3. If an individual desires to obtain a criminal history background check other than their own, they must present a valid photo ID of themselves, furnish a copy of a valid photo ID of the person whose record they are seeking, along with a current notarized authorization letter or power of attorney specifically authorizing the ACPD or all police departments in Virginia to release the criminal history background check of the individual.

E. National Incident Based Reporting System (NIBRS)

The ASU is responsible for efficiently collecting and accurately reporting IBR data on each crime occurrence to the Virginia State Police, IBR Program Office via their online Incident Based Reporting System. The NIBRS collects data on each incident and arrest within 22 crime categories made up of 46 specific crimes called Group A offenses. For each of the offenses coming to the attention of law enforcement, various facts about the crime are collected. In addition to the Group A offenses, there are 10 Group B offense categories for which only arrest data are reported.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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536.05 Transporting and Processing In-Custody Arrestees

I. Policy

Officers need to maintain safety for themselves and their arrestees. An officer is responsible for the safety and security of an arrestee until booked and subsequently committed to the custody of the Sheriff's Office.

II. Procedure

A. Restraints

1. Arrestees shall be handcuffed with hands behind their back and the handcuffs shall be double locked whenever an arrestee is transported in a police vehicle.
2. When circumstances make handcuffing behind the back impractical or during long distance transports arrestees may be handcuffed with hands in front with the combination of a restraint belt.
3. Additional restraining devices such as leg restraints or a spit hood may be used to protect the officer and arrestee. In extreme cases, a supervisor may approve the use of a stokes basket. The selected device(s) should restrain the arrestee securely without causing injury.

B. Search of Arrestees

1. Prior to transporting any arrestee, the arresting officer will conduct a thorough search of the arrestee.
2. When practical an officer should have another officer witness their search of an arrestee prior to transport in order to protect themselves against accusations of sexual impropriety.
3. If an officer other than the arresting officer is transporting the arrestee, the officer will search the arrestee again prior to placing them in a transport vehicle.

C. Transport Vehicles

1. Prior to and after transporting any arrestee in a police vehicle, a thorough search of the vehicle for concealed contraband or weapons shall be conducted by the officer assigned to the vehicle.
2. Patrol Wagon and Partitioned Vehicles - A police patrol wagon may be used to transport any arrestee. Vehicles equipped with a partition should be used for all transports not made by a patrol wagon.
3. Non-Partitioned Vehicles - When transporting an arrestee in a non-partitioned vehicle, all items, will be removed from the back seat and placed in the front seat or trunk.
 - a. Two-Officer Transport - Arrestees will be placed in the rear seat of the vehicle directly behind the front passenger seat. One officer/auxiliary will sit in the rear seat behind the driver to guard the arrestee.
 - b. Single-Officer Transport - At incidents that necessitate immediate removal from the scene, the arrestee will be placed in the front passenger seat and secured with a seat belt. The transport of a violent, intoxicated or erratic arrestee by a single officer/auxiliary is not recommended.
 - c. Mobility Disability Transport – If an arrestee’s disability limits their ability to be safely transported in a department transport vehicle, officers shall contact the Arlington County Sheriff’s Office to determine if they have a suitable transport vehicle. If no such vehicle is available, officers shall arrange transport through a taxicab company. An officer shall remain with the arrestee at all times during transport in a taxi.
 - d. Opposite Sex Transport - Unrelated persons of the opposite sex shall not be transported in the same compartment of a patrol wagon.
 - e. Transgender, Intersex, and/or Gender-Nonconforming Individual Transport – An arrestee who does not fit any clearly defined gender category should be transported with other arrestees of the same self-identified gender.
4. Supervisors shall document quarterly inspections of police transport vehicles to ensure no weapons or objects that may be used as weapons have been placed between, under, or in back of the seats. This inspection shall include the rear of police patrol vans.

D. Transporting Arrestees

1. Safety and Security - The responsibility for the safety and security of an arrestee being transported remains with the transporting officer until custody of the arrestee is properly transferred to another sworn officer.
 - a. Officers assigned to vehicles that are primarily used to transport arrestees will engage in other law enforcement duties when not involved in transports.

- b. When transporting an arrestee locally, an officer should only stop for emergencies and then, only when the risk to third parties is serious enough to outweigh the risk of escape or injury to the arrestee.
- c. Officers shall not lose sight of arrestee(s) in their custody.
- d. Arrestees shall be placed in seatbelts, unless impractical. If an arrestee is not placed in a seatbelt, an explanation shall be documented in the police case report.
- e. The transporting officer shall advise the dispatcher via police radio at the beginning and at the end of each transport.
- f. During extraditions or other long-distance transports, routine stops may be made for meals, the use of a restroom, and similar activities.
- g. Juveniles transported in patrol wagon shall not be transported with any adult suspected of or charged with a criminal act.

E. Medical Care of Arrestees

- 1. An officer is responsible for requesting a medic unit for an arrestee in their custody when the arrestee claims to be, or appears to be injured, or in need of medical attention. The arrestee shall be evaluated and cleared medically by an Arlington County Fire Department EMT prior to being transported to the Arlington County Detention Facility (ACDF). Should an arrestee need to be transported by ambulance to a medical facility an officer is required to ride inside the patient compartment of the ambulance for safety reasons.
- 2. If an officer notices an injury or the arrestee complains about an injury while at the ACDF or is in need of medical attention, the transporting officer shall request that ACDF medical personnel evaluate the arrestee's condition prior to processing. If an injured arrestee refuses medical treatment, the officer shall obtain a written refusal of treatment form, signed by authorized medical personnel and submit it to the booking officer prior to processing the arrestee. If medical personnel recommend emergency medical attention a police officer shall arrange for the arrestee to be transported to a medical facility for treatment.
- 3. Under no circumstances should a County employee indicate that the County will be responsible for any payments for personal injuries or property damage.
- 4. Should an arrestee be admitted to a hospital, the arresting officer should inform their immediate supervisor who shall coordinate the guarding of the arrestee while hospitalized. The immediate supervisor, or another supervisor so tasked, shall coordinate with the appropriate hospital staff to provide for the maximum security possible during the hospital stay.
- 5. Once treatment has been administered and the arrestee has been discharged from the hospital a copy of the discharge paperwork will be obtained by the officer on location at the time and submitted to the booking deputy as part of the booking process.

F. Transport to Criminal Investigations Division

1. When any arrestee(s), adult or juvenile, are transported to the Criminal Investigations Division (CID) to be interviewed, they will be escorted to, searched again, and placed in a secure interview room.
 - a. Only one arrestee per interview room is allowed.
 - b. The Juvenile Processing Area is not to be used as an interview room or holding area for arrestees.
 - c. Only juveniles in custody for criminal offenses are permitted in the secure interview rooms. Juveniles in custody for status offenses should be held in a soft interview room.
2. All weapons shall be secured in a gun locker prior to the removal of an arrestee/prisoner's handcuffs or placement in an interview room. Weapons are not permitted in prisoner interview rooms or the Juvenile Processing Area.
3. The interview room's video monitoring system shall be initiated upon the arrival of an arrestee and the recording shall not be paused or stopped until the arrestee's final removal from the room.
4. Once handcuffs are removed, the arrestee will be immediately re-handcuffed to an interview table. Any additional removal of an arrestee's handcuffs shall be at an officer's discretion so long as it is related to the collection of evidence, use of a toilet, or other justifiable purpose.
5. The transporting officer shall be responsible for the arrestee(s) until another officer, detective, or the arresting officer assumes responsibility for their security. An officer may leave an arrestee unattended inside a locked and secure interview room but shall maintain a visual surveillance of the exterior door to the room.
6. The Prison Rape Elimination Act (PREA) requires a staffing plan (continuous monitoring of an arrestee) be initiated the moment an arrestee is placed in a secure interview room or processing area. The staffing plan **must** be documented in the officer's case report and shall attest to the following:
 - a. That the interview room was thoroughly searched for concealed contraband or weapons prior to placing an arrestee in the interview room and immediately following the conclusion of the interview.
 - b. The name of the officer placing the arrestee in the interview room and/or assigned to monitor the arrestee prior to their transfer to booking.
 - c. The date, time in/out, and location of the interview room or processing area.
 - d. That the officer provided continuous supervision and monitoring of the arrestee to ensure their safety and security and an annotation as to whether the interview room video system was activated or not.

- e. Any escorts to and from the interview room along with the time and purpose – such as the collection of evidence, use of a toilet, or other justifiable purpose.
- f. Steps taken to protect the arrestee's privacy when it becomes necessary to remove clothing for evidentiary purposes.

G. Transport to Arlington County Detention Facility (ACDF)

1. Arrival at the Arlington County Detention Facility - All weapons shall be secured in a gun locker prior to entering the booking area. The transporting officer shall be responsible for arrestees transported by them until another officer or the arresting officer assumes responsibility, or the booking process is complete, and a commitment card has been signed and accepted by the deputy in charge of the booking area. Until an arrestee becomes the responsibility of the Sheriff's Office, the removal of an arrestee's restraints or handcuffs shall be at the officer's discretion, so long as the removal is related to collecting evidence, use of a toilet, or serves a justifiable purpose.
2. When an officer is transporting a known or suspected violent or abusive subject, or a subject known to be an escape risk, the officer shall notify the Sheriff's personnel working in the booking area prior to entering the booking area.
3. If an arrestee being transported is recognized as a security risk, this will be documented on the prisoner's booking sheet and brought to the attention of any person taking control of the arrestee.

H. Booking Process

1. Prior to appearing before the magistrate, the arresting officer shall:
 - a. Complete a Booking Information Sheet.
 - b. Check for outstanding warrants (QW).
 - c. Run a criminal history check.
2. The arresting officer will then present the arrestee to the magistrate for issuance of a warrant, a bond hearing, and if warranted, a commitment card, prior to the booking process.
3. The release of criminal history information from NCIC/NLETS/VCIN to the magistrate is considered a secondary dissemination if the magistrate keeps the printout. If the printout is returned to the officer for destruction, no logging is necessary. When running the QH/QR or IQ/FQ formats, the officer's name and badge number will be placed in the operation fields and the magistrate's name will be placed in the ATN field. Each logbook entry must contain the following information:
 - a. Date of the inquiry, or, if different, date record received.
 - b. Agency ORI (VA0070100).
 - c. The name of the subject of the inquiry.

- d. The SID, FBI or other records number (if no record was found, the words NO RECORD will be entered in this block).
 - e. Initials and last name of the magistrate; the words Arlington County Magistrate and the date the record was disseminated.
 - f. The officer's initials and last name.
- 4. The arresting officer will provide the booking deputy with the following information:
 - a. A completed Booking Information Sheet.
 - b. A printout of the arrestee's NAMS record.
 - c. A printout of the Wanted Person Check (QW).
 - d. Warrants served on the arrestee.
 - e. A copy of the commitment card, or, if the arrestee is released on personal recognizance by the magistrate, a copy of the personal recognizance form.
 - f. A copy of the prisoner receipt form, if transferred from another jurisdiction.
 - g. Communicate any criteria that would place the arrestee at risk of sexual victimization and abuse as outlined in directive 531.07 *PREA*.
- 5. After the booking deputy has reviewed the paperwork for completeness and accuracy, the arresting officer may then leave the Arlington County Detention Facility. However, if there is more than one arrestee waiting to be processed, or an arrestee is violent or displays signs of potential violence, one officer shall remain in the booking area.
- I. Release from Custodial Arrest - When it is determined that an individual should be released prior to appearance before the Magistrate, the arresting officer shall notify a supervisor. Supervisors are responsible for ensuring compliance with this section.
 - 1. The supervisor shall be responsible for verifying the information and, if indicated, immediately release the individual from custody. It is not necessary to take an individual before a Magistrate solely to accomplish a release from custody.
 - 2. If a vehicle has been impounded or property taken based on the arrest, it shall be immediately returned to the individual at no cost.
 - 3. All incidents of this type shall be documented in a case report and a copy of the report shall be forwarded to the Office of Professional Responsibility.
 - 4. In the event that a vehicle has been towed or impounded, the Commander of the Systems Management Division is to be notified in writing that the Department should pay the costs associated with the tow.

J. Escape


1. Officer's Responsibility - When an arrestee escapes from custody, the ECC shall be immediately notified. The officer shall broadcast the following information to all available officers and the dispatcher:
 - a. Description of the prisoner.
 - b. Direction of travel.
 - c. Mode of travel.
 - d. Charge which initiated the arrest.
 - e. Violent behavior.
 - f. Any injuries or medical assistance needed.
2. The ECC is responsible for the immediate notification of ACSO Central Control of any prisoner escape within the Police/Courts building and relay all broadcast information. The dispatcher shall broadcast, at regular intervals, all information compiled on the escaped prisoner, to all personnel, via the radio. All neighboring or area jurisdictions shall be notified, by teletype, giving all available information and necessary updates.
3. Police units will assist the Sheriff's Office in maintaining the outer perimeter of the Courthouse and in conducting a floor by floor search of the building.
4. The officer shall report the incident on appropriate forms and ensure that a National Crime Information Center (NCIC) entry is made, if necessary.

K. Warrant Service - See ACPD Manual section 536.03 *Warrant/Summons Service* for additional information.

1. Voluntary Surrender - An officer has the authority to defer the service of a warrant until the subject arrives at the police department. The officer may communicate with the subject by telephone and may reach an agreement as to when the subject will appear at the department for execution of a warrant. This decision may also be made in the field by agreement between the officer and the subject. Under such an agreement, the subject may be given the opportunity to drive to the department in his or her own vehicle. In this circumstance, the subject will not be considered to be under arrest until the actual service of the warrant at the station.
2. Transfers Between Agencies/Extraditions - The transportation of arrestees between other law enforcement agencies is the responsibility of the Sheriff's Office, except for extraditions. An officer shall bring photographs, fingerprint cards or other items with them on extraditions to positively identify the arrestee being picked up. When transporting an arrestee between outside agencies, the transporting officer is responsible for any documents that must accompany the arrestee. For inter-state extraditions officers must have a properly executed governor's warrant or a properly executed waiver.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: March 17, 2021	Amends/Supersedes: October 6, 2017 October 1, 2013	By Authority of the Acting Chief of Police  Charles A. Penn
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531.07 Prison Rape Elimination Act

I. Policy

The department shall not tolerate any forms of sexual abuse or sexual harassment directed towards individuals in police custody by employees of the department or between individuals who are in police custody. All allegations of sexual abuse or sexual harassment will be investigated, and all victims will be afforded the same rights, regardless of their involvement in the criminal justice system.

II. Definitions

- A. Police Lockup - Any place where an arrestee is detained by an officer and cannot leave of their own free will. Lockups include interview rooms, juvenile holding rooms, any locked room, secure enclosure, or a law enforcement vehicle.
- B. [Prison Rape Elimination Act \(PREA\)](#) – A federal statute that addresses the detection, elimination, and prevention of sexual assault and rape in correctional systems, including lockups operated by law enforcement. It also directs the collection and dissemination of information on incidences of arrestee-on-arrestee sexual violence as well as police employee sexual misconduct with arrestees.
- C. PREA Coordinator – The supervisor of the Special Victims Unit serves as the department's PREA Coordinator.

III. Procedure

- A. PREA Application to Law Enforcement
 - 1. PREA addresses the safety of arrestees, while in the custody of the police department, from sexual assault, sexual harassment, consensual sex with employees, and arrestee-on-arrestee sexual assault.
 - 2. PREA requires the department to maintain data regarding arrestee-on-arrestee sexual assaults, nonconsensual sexual acts, and employee sexual misconduct.
- B. PREA Sexual Misconduct
 - 1. Sexual Abuse – Unwanted sexual contact. PREA designates two categories of sexual abuse:

- a. Sexual abuse between an inmate, detainee, or resident by another inmate, detainee, or resident where the victim does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse.
 - b. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer with or without consent of the inmate, detainee, or resident.
- 2. Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. PREA designates two categories of sexual harassment:
 - a. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another.
 - b. Repeated verbal comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures to an inmate, detainee, or resident by a staff member, contractor, or volunteer.
- C. Prevention of Sexual Misconduct – All department employees shall adhere to the following standards to prevent any incidents of sexual abuse or sexual harassment of individuals in police department custody:
 - 1. No more than one arrestee shall be placed in an interview room.
 - 2. Juvenile arrestees shall be held separately from adult arrestees.
 - 3. All arrestees shall be monitored at all times for safety and security purposes when placed in a police department interview or juvenile holding room. See ACPD Manual section [536.05 Transporting and Processing In-Custody Arrestees](#) subsection *II.F. Transport to Criminal Investigations* Division regarding the establishment and documentation of a PREA staffing plan.
 - 4. Employees shall not conduct cross-gender strip searches, or cross-gender visual body cavity searches on arrestees, except in exigent circumstances or when performed by a licensed medical practitioner.
 - 5. Employees shall not search transgender, intersex, and/or gender-nonconforming arrestees for the sole reason of determining their gender identity. The arrestee's gender identity should be determined through the interview process or by reviewing medical records.
 - 6. Employees shall take note of any of the following criteria that may place an arrestee at risk of sexual victimization and abuse:
 - a. A history of sexual abuse and victimization.
 - b. Mental, physical, or developmental disabilities.

- c. Age.
- d. Physical build and appearance.
- e. Incarceration history.
- f. The offense the arrestee is being held on.
- g. Criminal history.

7. Any vulnerability noted for an arrestee shall be communicated during the booking process, to employees at the detention facility where the arrestee is to be held.

D. Detection of Sexual Misconduct

1. Employees are required to immediately notify a supervisor of any knowledge, suspicion, or information regarding any incident of sexual harassment or sexual abuse that occurred while an arrestee is in police custody.
2. Employees shall not discuss sexual abuse or harassment incidents with anyone outside of the investigation.
3. The supervisor notified shall contact the PREA Coordinator, who is responsible for notifying the department's chain of command, and the commander of the Office of Professional Responsibility.

E. Investigation of Sexual Misconduct

1. The first sworn employee on the scene of an incident involving the sexual misconduct toward an arrestee in police department custody shall:
 - a. Separate all involved parties.
 - b. Ensure the safety of the victim.
 - c. Ensure injured parties receive appropriate medical attention.
 - d. Preserve and protect the scene and any evidence of the incident in accordance with Manual directive [531.03 Sex Crimes Investigations](#).
2. All investigations of sexual assaults of arrestees in department custody shall be conducted in accordance with department directives and procedures governing sex crime investigations.
3. Any department employee, contractor or volunteer accused of sexual abuse or sexual harassment of an arrestee shall be prohibited from contact with arrestees pending the results of an investigation by the Office of Professional Responsibility.
4. Employees receiving an allegation that an arrestee was sexually abused during confinement at another facility, shall as soon as practicable, report the information to the PREA Coordinator. Notification shall be made to the head of the facility in which the alleged abuse occurred no later than 72-hours after the initial report.


5. The department shall ensure that any arrestee in the custody of the department, who is the victim of sexual harassment or sexual abuse while in custody, or anyone who reports any incident, are protected from retaliation.

F. PREA Coordinator Responsibilities

1. Serve as the point of contact for all PREA related issues and oversee PREA compliance efforts.
2. Conduct an annual PREA Audit to ensure the department is in compliance with all applicable PREA standards and provide the Chief of Police with the results.
3. Establish procedures for the detection and investigation of custodial sexual abuse and sexual harassment.
4. Ensure that Standard Operating Procedures (SOPs) governing the use of the department's interview and juvenile holding rooms are in place and notify officers and their supervisors when violations are discovered.
5. Periodically review applicable department directives and procedures for PREA compliance.
6. Regularly review the Secure Juvenile Detention Logs to ensure completion of all entries and notify officers and their supervisors when violations are discovered.
7. Provide complainants with information on reporting custodial sexual abuse and sexual harassment.
8. Review all substantiated and unsubstantiated investigations of custodial sexual abuse and sexual harassment within 30 days of the conclusion of the investigation.
9. Ensure that all police department employees receive PREA training as part of their new employee orientation with annual refresher training to ensure that all employees understand the agency's current sexual abuse and sexual harassment policies and procedures.
10. Monitor PREA investigations to ensure that employees and arrestees who report or cooperate with sexual abuse or sexual harassment investigations are free from retaliation by other employees or arrestees.
11. Ensure the Special Victims Unit takes the lead investigative responsibilities in all criminal cases involving the allegation of sexual abuse, or sexual harassment of an arrestee by an employee of the department. Concurrent and separate investigations shall be conducted by the Office of Professional Responsibility and the PREA Coordinator.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 13, 2021	Amends/Supersedes: July 15, 2020 February 14, 2020	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): PER.04.01, PER.04.02			

512.03 Off-Duty Employment

I. Policy

The Chief of Police shall exercise such control over off-duty employment as deemed necessary to ensure on duty efficiency and to prevent possible conflicts of interest with an employee's duties and responsibilities. Any employee wishing to partake in off-duty employment must comply with the procedures outlined in [Administrative Regulation 2.7](#) and any additional requirements imposed by this department.

All law enforcement related off-duty employment will be conducted within Arlington County. Additionally, all off-duty employment that is law enforcement related will be conducted in uniform, while displaying a badge of authority, unless a waiver is specifically granted by the Chief of Police, or designee. The Chief of Police retains ultimate authority to approve or disapprove any application for general secondary employment, police-related secondary employment or County-related secondary employment and may deny any such employment that does not promote the best interests of the Department, County Government, or the public.

II. Definitions

- A. County-related Secondary Employment – Employment in which an employee is compensated by the Arlington County Government for the performance of law enforcement duties rendered in support of a County agency or County-sponsored event or program.
- B. Department Police-related Secondary Employment – Employment in which an employee is compensated by Arlington County, who is, in turn, reimbursed by a third party for the performance of law enforcement duties.
- C. General Police-related Secondary Employment – Employment in which an employee is compensated by an entity, other than the Arlington County Government, for the performance of security and/or law enforcement duties that provides a benefit to the public safety of Arlington County. For purposes of this definition, compensation may include payments of money, free rent, and/or the barter of other goods or services.
- D. General Secondary Employment – Employment that is not related to law enforcement or security, does not require the use of law enforcement power or authority, and does not utilize any Department equipment, vehicles, uniforms, networks, or similar assets.

- E. Off-Duty Coordinator – Manages and oversees the Off-Duty Program to ensure the fair and equitable distribution of assignments.
- F. Off-Duty Liaison – Designated sworn employees who serve as the liaison for each police-related secondary employment application.

Note: For purposes of this directive, an employee's personally owned small business or other self-employed business venture qualifies as secondary employment under either sub-section II.C or II.D above, depending upon whether or not the employee provides a law enforcement service.

III. Procedure

- A. Prohibited Employment - No employee shall work any general secondary employment or police-related secondary employment where:
 - 1. The employer charges a fee for, or earns money by, towing or repossessing vehicles, and/or stores such vehicles.
 - 2. The employee collects bills or debts, attempts to convince any person to pay a bill or debt, or takes other actions in furtherance of a civil dispute involving financial payments and/or the possession of property.
 - 3. The employee performs private investigation or assists in the preparation of any plaintiff's or defendant's case for civil or criminal court.
 - 4. The employee serves or assists in the serving of any civil or criminal legal process.
 - 5. The employer is a security guard company or armored car service.
 - 6. The employee performs personal security or bodyguard services for any individual person.
 - 7. The employer contracts services to an event with an armed private security company.
 - 8. The employee provides security or police-related services to a business whose employees are on strike, or otherwise assists any party in the furtherance of a labor-management dispute.
 - 9. The employer operates a gambling enterprise or sells tickets for a lottery other than the official Virginia state-sponsored lottery (NOTE: for purposes of this directive, "chances" and door prizes sold during a one-time charitable or community event do not qualify as lottery tickets).
 - 10. The employee participates in the preparation, delivery, or sale of alcoholic beverages, or is regularly stationed within the same room or enclosure where such activities occur.
 - 11. The employer sells or distributes firearms to the public, and:
 - a. The employee personally sells, rents, or delivers firearms, prepares firearms for sale or rent, or engages in the processing of gun registrations, gun permit applications, or other documents related to firearms.

- b. The employer's primary business is the sale of firearms, regardless of the nature of the Department employee's duties within that business.

This sub-section does not prohibit an employee from privately selling a personally owned firearm, provided that the sale is not related to secondary employment and does not require the employee's registration as a gun dealer under Virginia or federal law.

B. Scheduling Limitations - Although off-duty coordinators have a significant role in the scheduling process, it is the responsibility of each individual employee to ensure their compliance with the below-listed scheduling limitations. Periodic audits will be conducted by OPR to ensure compliance and the integrity of data recorded in Telestaff.

1. An employee shall not work more than 17 hours during any 24-hour period.
2. A rest period consisting of a minimum of 7 hours (where no secondary employment of any type is performed) shall occur at either the beginning, or at the end, of every scheduled department tour of duty.
3. An employee shall not work more than 10 consecutive days without a complete 24-hour period off.
4. If an employee misses a court appearance or fails to work an entire department tour of duty as a result of illness or the use of sick leave (except family sick leave), the employee shall not thereafter work any secondary employment for the remainder of that same calendar day.
5. An employee shall not work police-related secondary employment while on light duty, while on restricted duty or administrative leave as a result of an operational incident, or while in any paid leave status other than vacation, family sick leave or compensatory leave.
6. Limitations 1 through 5 above shall be calculated to include all categories of scheduled work, including regular duty, general secondary employment, police-related secondary employment, and County-related secondary employment, except that they shall not apply:
 - a. If the employee is on extended vacation or compensatory leave and the only work performed is general secondary employment.
 - b. When a Section Commander issues a verbal waiver during a time of operational necessity. The Section Commander shall notify the Chief of Police, or designee, through their chain of command, of this waiver.

C. General Secondary Employment – Employees seeking to work general secondary employment shall submit a memorandum through their chain of command for approval by the Chief of Police, or designee. The memorandum shall identify the proposed employer (business name, address, and telephone number), the type of work to be performed, and the approximate number of

hours to be worked each week. The Chief of Police retains ultimate authority to approve or disapprove any application for general secondary employment.

Employees shall notify the Office of the Chief in writing if the duties of their general secondary employment change and/or the employment is terminated. When the employment duties have changed, the general secondary employment opportunity is subject to re-approval.

Newly hired employees who are already working general secondary employment or volunteer as a first responder (auxiliary police, volunteer firefighter, etc.) at the time of their hiring shall request approval to continue such employment by submitting a memorandum through the Human Resources Management Section Commander for approval by the Chief of Police, or designee.

- D. General Police-related Secondary Employment – Employees seeking to work general police-related secondary employment, to include rental agreements for free and reduced rent in exchange for police services, shall submit a memorandum through their chain of command for approval by the Chief of Police, or designee. The memorandum shall identify the proposed employer (business name, address, and telephone number or property address for rental agreements), the type of work to be performed, and approximate number of hours to be worked each week. Employees should also include applicable certificates of insurance for liability and worker's compensation coverage. The Office of the Chief must approve any employment or rental agreements before acceptance by an employee. Officers must annually submit a memorandum requesting the renewal of such requests to the Office of the Chief, via their chain of command, each January or anytime the terms of the agreement or employment are modified.

Copies of approved general police-secondary employment memorandums will be stored in LERMS in the officer's Personnel Folder. The Office of Professional Responsibility will conduct an annual audit of these memorandums to ensure compliance with this directive.

1. Supremacy of Employee's Departmental Obligations - An employee's primary employment responsibility remains with the Department at all times. Officers working general police-related secondary employment may be called back to duty with the Department at any time. Upon notification of a call back, the officer shall immediately cease secondary employment and report to the on-duty location.
2. General Procedures – Employees working general police-related secondary employment shall comply with the following requirements:
 - a. Employees shall not perform secondary employment while on-duty with the Department.
 - b. Only one secondary employment assignment shall be worked at a time.

- c. Upon arrival at a secondary employment site, the employee shall notify the ECC, of the following:
 - 1) The assignment location(s).
 - 2) The assignment's scheduled start and stop times.
 - 3) Any unusual or unique conditions about which the ECC or on-duty patrol units should be aware.
- d. The employee shall notify the ECC when leaving a site at the conclusion of the assignment.
- e. Notification to the ECC is not required if an employee engages in unscheduled, routine patrol and/or enforcement on the grounds of a rental property where they live as part of a free or reduced rent arrangement.
- f. Any police incident reports taken during general police-related secondary employment shall be submitted to an on-duty supervisor before the off-duty employee completes the secondary employment assignment.
- g. Employees shall immediately notify an on-duty supervisor of any general police-related secondary employment incident involving an injury, use of force, damage to departmental property, damage to private or public property that was caused by the officer, or any incident reasonably likely to be of interest to the news media.
- h. Employees working general police-related secondary employment shall not accept tips, gratuities, gifts, loans, or any other compensation beyond the standard, contracted secondary employment compensation. This prohibition does not apply to meals or light refreshments provided by the employer at the site, if such items are a normal part of the secondary employment arrangement.
- i. Employees may use Department equipment during the performance of general police-related secondary employment with the approval of the Chief of Police, or designee. The use of Police Canine capabilities is prohibited in general police-related secondary employment, unless specifically authorized by the Chief of Police. Canines may accompany their handlers to the location of their off-duty employment for immediate Department deployment.
- j. Employees shall not disclose any RMS, DMV, VCIN, NCIC, criminal history, or other confidential law enforcement data to a secondary employer. This data should only be used to conduct a legitimate law enforcement investigation.
- k. All general police-related secondary employment shall be worked in uniform unless written permission to work in plainclothes has been granted by the Chief of Police, or designee.

E. Department Police-related Secondary Employment

1. Employer Application Process

- a. Any individual or business (hereafter referred to as the “employer”) desiring to hire an employee of this Department for department police-related secondary employment shall submit an application to the Human Resources Management Section Commander.
- b. Each of the applications shall be accompanied by documentary proof that the employer:
 - 1) Is insured against civil liabilities arising from any and all actions taken by the Department employee on behalf of the employer, and
 - 2) Maintains worker’s compensation coverage for the Department employee.
 - 3) The Office of the Chief of Police shall identify the minimum acceptable dollar values for the aforementioned liability insurance and worker’s compensation coverage. These values shall be stated on the application form and must be maintained by the employer throughout the life of the current application.
- c. The Office of the Chief of Police shall establish and periodically revise a minimum hourly pay rate for all department police-related secondary employment. Any private-sector employer desiring to hire Department personnel shall agree to pay at least that rate, or the application will not be approved.
- d. The employer must submit a renewal application annually in order to continue their secondary employment opportunities.
- e. Employees are prohibited from soliciting any individual or business in order to obtain police-related secondary employment. All parties interested in hiring a Department employee for department police-related secondary employment shall be referred to the Human Resources Management Section Commander.

2. Officer Eligibility – All sworn officers at or below the rank of Lieutenant who have completed the Field Training Officers (FTO) program are eligible for department police-related secondary employment.

3. Signup Process - To be considered for a department police-related secondary employment opportunity, officers shall use the signup code in TeleStaff indicating which days/times they are available. Employees are not able to designate a specific job but may tailor their code entries to target certain jobs. In order to be considered for the vacancy, the officer must be off-duty for the entire period of the requested vacancy.

The Off-Duty Coordinator shall initiate the auto hire feature to fill vacancies for off-duty employment opportunities that occur on a monthly basis. The TeleStaff automated system will notify officers when they are being offered a job opportunity. The officer shall accept or reject the offer.

If no action is taken by the officer, the system will mark the offer as expired and offer the position to the next eligible officer. The system will craft an initial schedule that seeks to be fair and equitable to all officers requesting off-duty employment.

4. **Supremacy of Employee's Departmental Obligations** - An employee's primary employment responsibility remains with the Department at all times. Officers working department police-related secondary employment may be called back to duty with the Department at any time. Upon notification of a call back, the officer shall immediately cease secondary employment and report to the on-duty location.
5. **Officer Performance During Department Police-related Secondary Employment** – Officers assigned department police-related secondary employment are departmentally obligated to fulfill those assignments. If the officer becomes unable to work due to illness or some other difficulty beyond the officer's control, the officer shall inform the off-duty coordinator as soon as the difficulty is discovered.

Officers who report for duty at department police-related secondary employment shall properly discharge all required duties, identified by the "Duties & Expectations Notice", or as otherwise instructed by the off-duty liaison. Officers shall adhere to all applicable Department policies and procedures and all regulations of the Arlington County Government. Failure to perform satisfactorily may result in the loss of further secondary employment opportunities and/or departmental discipline.

6. **General Procedures** - Employees working department police-related secondary employment shall comply with the following requirements:
 - a. All department police-related secondary employment shall be worked in uniform unless written permission to work in plainclothes has been granted by the Chief of Police, or designee.
 - b. Employees shall not perform secondary employment while on-duty with the Department.
 - c. Only one secondary employment assignment shall be worked at a time.
 - d. Upon arrival at a secondary employment site, the employee shall notify the ECC, of the following:
 - 1) The assignment location(s).
 - 2) The assignment's scheduled start and stop times.
 - 3) Any unusual or unique conditions about which the ECC or on-duty patrol units should be aware.
 - e. The employee shall notify the ECC when leaving a site at the conclusion of the assignment.
 - f. Unless instructed otherwise by an on-duty supervisor or by the "Duties and Expectations Notice", officers working a department police-related secondary employment are responsible for writing all necessary police reports for incidents occurring on site during their tour of duty.

- 1) This requirement does not preclude the employee from calling for appropriate assistance from on-duty units, nor does it prevent an on-duty supervisor from assigning an on-duty officer to handle an incident in lieu of the secondary employment officer, if the supervisor so prefers.
- g. Unless instructed otherwise by an on-duty supervisor, officers making an arrest during the performance of their department police-related secondary employment shall perform all booking and arrest-related tasks and reports.
- h. Police incident reports shall be submitted to an on-duty supervisor before the off-duty employee completes the secondary employment assignment.
- i. Employees shall immediately notify an on-duty supervisor and the off-duty liaison of any department police-related secondary employment incident involving an injury, use of force, damage to departmental property, damage to private or public property that was caused by the officer, or any incident reasonably likely to be of interest to the news media.
- j. An employee who has reason to believe that they have become involved in a department police-related secondary employment incident which may result in an official departmental complaint, civil suit, or similar consequence shall notify their Section Commander through their chain of command no later than the next business day. The employee shall also notify the off-duty liaison with responsibility for the assignment in question.
- k. Employees working department police-related secondary employment shall not accept tips, gratuities, gifts, loans, or any other compensation beyond the standard, contracted secondary employment compensation. This prohibition does not apply to meals or light refreshments provided by the employer at the site, if such items are a normal part of the secondary employment arrangement.
- l. Employees may use Department equipment during the performance of department police-related secondary employment. Employees requiring vehicles shall attempt to secure a take-home/assigned vehicle before utilizing a fleet vehicle. The use of fleet vehicles must be approved by the Watch Commander and, depending on the operational need of the Department, a fleet vehicle may not be available for off-duty employment.
 - 1) The use of Police Canine capabilities is prohibited in department police-related secondary employment, unless specifically authorized by a Patrol Commander. Police canines may accompany their handlers to the location of their off-duty employment for immediate Department deployment.

- m. Employees shall not disclose any RMS, DMV, VCIN, NCIC, criminal history, or other confidential law enforcement data to a secondary employer. This data should only be used to conduct a legitimate law enforcement investigation.
7. Payment - The following regulations apply to all department police-related secondary employment:
- a. Employees shall accept payment from only one secondary employer for services rendered during any given period of continuous work.
 - b. If an employee is called back or otherwise diverted from a secondary employment assignment in order to perform Departmental duties, that employee shall apply for Department overtime pay on a time-for-time basis or earned compensatory leave as the secondary employment and compensation will be discontinued. When the Department duties have been completed, the employee will return to their secondary employment where compensation will be received by such employee until the completion of the assigned shift.
 - c. Off-duty liaisons shall bill employers only for the actual amount of time they devote to liaison duties and shall be paid at the same hourly rate that is paid to the officers whose on-site police or security services they schedule or supervise. Liaisons shall invoice the employer for their services at the time they submit payroll for officers working the detail. All paperwork related to off-duty employment payroll to include administrative fees charged to the company by the liaison will be submitted to the Off-Duty Coordinator for tracking.
8. Off-Duty Liaisons - The following duties and responsibilities are assigned to all off-duty liaisons:
- a. Contact with the off-duty employer in order to:
 - 1) Define the deployed officer's duties.
 - 2) Clarify the employer's expectations.
 - 3) Identify the dates and times when deployments should occur.
 - 4) Verify that assignments were satisfactorily performed.
 - 5) Attempt to resolve employer complaints, if any.
 - b. Develop a "Duties & Expectations Notice." This notice shall remain on file as long as the department police-related secondary employment assignment remains active.
 - c. Forward available work dates and times for the upcoming month to the Off-Duty Coordinator.
 - d. If required, submit payroll reports to the employer for hours actually worked by Department personnel. These reports shall be submitted at intervals identified by the employer.


- e. If requested by the employer, perform quality assurance and/or supervisory duties at the site. If such arrangements are made, the liaison shall perform the duties in a satisfactory manner.
 - f. The Department does not automatically require such duties of liaisons, however, recognizing instead that the work of many liaisons will be limited to bookkeeping.
 - g. Maintain detailed records of the amount of time devoted to liaison and supervision tasks and retain personal copies of all bills or invoices submitted to the employer for off-duty liaison and supervision work. All paperwork related to this function will be submitted to the Off-Duty Coordinator for tracking.
 - h. Retain the above documents in accordance with Library of Virginia records retention schedules, along with all duties & expectations notices, posted schedules, employer payroll reports, and/or related materials used in the off-duty liaison process during the one-year period. The liaison shall make these materials available, upon request.
 - i. The Off-Duty Coordinator will perform an annual review of all liaison details. The purpose of this review is to ensure that all aspects of the detail are in compliance with all elements of this manual section.
 - j. The Off-Duty Coordinator will primarily be responsible for the deployment of the TeleStaff system to fill vacancies related to off-duty. This does not preclude other supervisors from being able to use the system to fill vacancies, as needed.
 - k. Within reason, a liaison may conduct some of their coordination activities while on duty.
- F. Suspension of Secondary Employment - The Chief of Police may suspend the secondary employment privileges of any employee:
- 1. Recently disciplined for unsatisfactory performance or violation of any departmental or county regulation, or
 - 2. Whose on-duty work has been judged by a supervisor to be substandard or in need of improvement, or
 - 3. Whose performance on a department police-related secondary employment assignment has been judged unsatisfactory by that assignment's off-duty liaison, or
 - 4. Who has been found to have violated this directive, regardless of whether formal discipline was imposed.

The duration of suspensions shall be at the discretion of the Chief of Police, and may be imposed indefinitely, where appropriate.

Suspension of secondary employment privileges is automatic in any case where the employee's normal police duties are suspended or otherwise interrupted. Officers in such situations shall not work general or department police-related secondary employment, regardless of whether secondary employment privileges were mentioned in the primary suspension notice.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: March 29, 2021	Amends/Supersedes: October 6, 2017 August 14, 2014 March 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.14.02, ADM.25.01			

533.02 Noise Control

I. Policy

The intended purpose of the "Noise Control Ordinance of Arlington County" is to promote the public's health, safety and welfare, and to foster the comfort of the public.

II. Code Requirements

A. [Arlington County Code: Chapter 15 - Noise Control](#)

III. Definitions

- A. DCPHD - Department of Community Planning, Housing and Development
- B. Daytime – "Daytime" means the local time of day between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and between the hours of 10:00 a.m. and 9:00 p.m. on a Saturday, Sunday, and legal holidays.
- C. Exemptions – In addition to the specific exemptions listed in the Noise Ordinance, exemptions or partial exemptions to allow noise during nighttime hours may be granted at the discretion of the County Manager. A copy of the exemption shall be posted at the source of the noise by the recipient.
- D. Legal Holiday - "Legal Holiday" shall mean any of the days designated as legal holidays on the [Official Website of Arlington County](#).
- E. Live Entertainment – Live entertainment is any entertainment involving performances, or delivery of entertainment, by one or more persons. Live entertainment includes, but is not limited to musical ensembles, solo performers, deejays, karaoke, comics/comedians, theatrical acts (when performed in a venue other than a theater), and dancing (only permitted where the County Board has granted a use permit for live entertainment).
- F. Mixed Use District – Any area of the County that is developed with a mixture of commercial, retail and residential uses, whether in the same building or not.
- G. Nighttime - "Nighttime" means those times of day not included in the definition of "Daytime."

IV. Procedure

A. Enforcement of County Noise Ordinance

1. Code enforcement inspectors from the [Inspection Services Division](#) of the Department of Community Planning, Housing and Development (DCPHD) have primary responsibility for investigating complaints related to violations of the County's noise ordinance from 8:00 a.m. to 5:00 p.m., Monday through Friday.
2. The Police Department is responsible for investigating noise complaints outside of those hours, including weekends and holidays.

B. Types of Noise Complaints

1. Loud Parties - If available, two units should be dispatched to a loud party call. The officer(s) should advise the violator of the code requirements and request abatement of the noise. The officer should also advise the violator that any subsequent complaints may be cause for termination of the party.
2. Nighttime Disturbances – During nighttime hours, it is unlawful in a residential area for any person in a group of four or more persons to engage in yelling, wailing, shouting or screaming which can be heard within a dwelling at least 20 feet from the source of the noise. Additionally, between 2:00 a.m. and 6:00 a.m., it is unlawful for any person within the County to engage in yelling, wailing, shouting or screaming which can be heard within any nearby dwelling.
3. Mixed Use Districts – Between midnight and 9:00 a.m., it is unlawful for any person to engage in yelling, wailing, shouting or screaming which can be heard within a dwelling at least 100 feet from the source of the noise. Between midnight and 9:00 a.m., it is unlawful for the owner, manager, assistant manager and/or other individual in charge of a retail use business to permit any person to engage in yelling, wailing, shouting or screaming which can be heard within a dwelling at least 100 feet from the source of the noise.
4. Noise Devices – It is unlawful for any person to operate a device which amplifies or produces sound which can be heard within a dwelling at least 20 feet from the source of the noise.
5. Animal Noise - It is unlawful for any person to permit their animal to create audible noise which can be heard at least once per minute for ten consecutive minutes within any nearby dwelling.
6. Construction - When complaints are received, the responding officer should determine the specific source of the noise disturbance from the complainant and request compliance of the offending party, or site supervisor, at a construction site. Other employees on a site who are not causing a noise disturbance may continue to work.
 - a. Construction noise within the maximum permissible noise levels of the Noise Ordinance is permitted during daytime hours.

- b. Construction activities per se are not prohibited during nighttime hours; however, construction noise may not exceed the maximum permissible by code.
 - c. Determine if the foreman or other agent has a valid waiver from the DCPHD Zoning Office.
 - 7. Live entertainment is regulated by DCPHD and each business has varying conditions on their live entertainment use permit. The conditions that are universal to all businesses are:
 - a. No music or sound is allowed to be played outside of the building. All windows and doors will remain closed during times of live entertainment.
 - b. Live entertainment is not allowed to be played by loudspeaker on rooftops.
 - c. Rooftop music – No live entertainment (see Definitions) is allowed. In-house music is allowed and can be played except if it can be heard:
 - 1) 20 ft by a person; **OR**
 - 2) 50 ft from source across a real property boundary
- C. Assessment and Response to Noise Complaints - The primary unit responding to the scene should evaluate the situation and determine the validity of the complaint by any or all of the following:
 - 1. Commercial and Residential
 - a. Assessment
 - 1) Personal observation.
 - 2) Interview with the complainant, if such interview is requested by the complainant or deemed necessary by the officer.
 - 3) Verification that an exemption has or has not been granted to the alleged violator.
 - 4) Determine if any prior/other complaints were received for that location, or if there are any other means available to determine the validity of the complaint.
 - D. Response & Documentation

When noise can be heard emanating from a source during operating hours of the business, beyond the restrictions set forth in the Noise Ordinance, the officer should advise the violator that a complaint has been received and that loud noise can be heard emanating from the premise. The officer should not reveal the identity of the complainant when discussing the matter with the violator.

 - 1. 1st Violation
 - a. Request abatement of the noise and issue a verbal warning to the owner or person in charge.

- b. If practical, remain at the scene for compliance.
 - c. Complete a Noise Violation Report, which will be turned into the designated Business Outreach Unit (BOU) inbox by the end of the shift.
- 2. 2nd Violation
 - a. In the event of a second call for the same offense, the officer should identify the owner and issue a written warning.
 - b. If practical, remain at the scene for compliance.
 - c. Complete a Noise Violation Report, which will be turned into the designated Business Outreach Unit inbox by the end of the shift.
- 3. 3rd or Subsequent Violation
 - a. In the event of a third or subsequent call for the same offense, contact a supervisor to determine if criminal charges are appropriate.
 - b. If practical, shut down the source of the noise. (loud party, music, etc.)
 - c. Per the County Code, every hour past the initial noise complaint constitutes a separate noise violation.
 - d. Officers shall complete a Noise Violation Report for each offense, which will be turned into the designated Business Outreach Unit inbox by the end of the shift.
- 4. Recurring Violations
 - a. When a noise complaint is a recurring issue over an extended period of time and the violator has been warned in the past, ACPD BOU will contact DCPHD for further evaluation and enforcement.
 - b. Officers responding to noise complaints at commercial establishments and construction sites (when there is no valid waiver issued) shall also complete a Noise Violation Report that is turned into the designated Business Outreach Unit inbox.



Arlington County Police Department

Noise Violation Report

Restaurant ☐ Commercial Business ☐ Construction ☐ Other ☐

Violation Number: ☐ 1st ☐ 2nd ☐ 3rd or Subsequent _____

Date: _____ Time: _____

Incident #: _____

Address: _____

Business Name: _____

Owner/Manager Full Name: _____

Complainant Name: _____

Complainant Phone Number: _____

Violation ☐ Yes ☐ No (Describe / Comments):

Was there live entertainment or deejay? ☐ Yes ☐ No

Was there dancing? ☐ Yes ☐ No

Was music playing outside either live or over speakers? ☐ Yes ☐ No

Were windows or doors open? ☐ Yes ☐ No

Is music being piped from a deejay on another floor to a rooftop?

☐ Yes ☐ No

If band or deejay, was there security on site? ☐ Yes ☐ No

Were signs posted asking patrons to respect the peace and avoid parking in residential neighborhoods where possible? ☐ Yes ☐ No

Excessive trash around the restaurant? ☐ Yes ☐ No

Pictures? ☐ Yes ☐ No Video? ☐ Yes ☐ No

Officer/Fire Marshal: _____ DID: _____

Distribution: Top Copy to Business Outreach Unit (BOU), Middle Copy to Records, Bottom Copy to Violator

ARLINGTON COUNTY CODE

Chapter 15 NOISE CONTROL

County Board Agenda Item Meeting of June 13, 2020

§ 15-10. Civil Penalties; Appeals Therefrom A. Any person who commits, permits, assists in or attempts any violation of this chapter, whether by act or omission, shall be liable for a civil violation and may, upon the issuance of a citation by the County Manager, be punished by a civil fine of not more than two hundred fifty dollars (\$250.00) for the first violation, and not more than five hundred dollars (\$500.00) for a second or other subsequent violation. Payments shall be made to the County Treasurer. Each hour the violation goes unabated shall constitute a separate offense. If such person cannot be identified, there shall be a rebuttable presumption that any owner, tenant, resident, manager, or authorized user of the premises physically present on the property where the violation is occurring is operating or controlling the noise generation or source.

B. If the County Manager determines that a violation of this chapter has occurred, the County Manager may cause a citation for a civil violation to be served on any or all persons committing, permitting, or assisting in such violation. The issuance of a citation for a civil violation of this chapter shall:

1. be in writing;
2. describe the alleged violation or violations;
3. name, by street address or RPC number, the premises where the violation or violations are alleged to exist;
4. state a deadline by which the violation or violations must be corrected; and
5. be delivered to the owner, occupant, operator or party responsible for the noise, or upon the agent of any of the foregoing, by:
 - a. hand delivery to any such person or entity;
 - b. mailing to such person or entity by U.S. certified mail; or
 - c. posting at the premises named in the notice.

C. The imposition of a civil penalty for any violation of this chapter shall not excuse the violation or permit it to continue.

D. Nothing in this chapter shall be construed to abridge, limit or otherwise impair the right of any person or entity to claim, in a separate, private action, damages or other relief on account of injuries to persons or property, and to maintain any action or other appropriate proceeding therefor. In addition to, and not in lieu of the penalties prescribed in this section, the County Manager may apply to the Circuit Court of Arlington County for an injunction against the continuing violation of any of the provisions of this section and may seek any other remedy or relief authorized by law.

E. If a person who was issued a civil citation pursuant to this section does not abate the violation and either admit liability or choose not to contest the citation, then a warrant in debt or motion for judgment shall be issued to the person by the County Manager and the civil violation shall be tried in the General District Court of Arlington County. Any party desiring to appeal that Court's decision on a civil violation of this section may appeal as provided at law for civil actions. In the event the violation exceeds the jurisdictional limits of the General District Court, the violation shall be tried in the Circuit Court of Arlington County.


F. During the pendency of any appeal, the civil citation issued by the County Manager shall remain in full force and effect.



Arlington County Police Department
1425 N. Courthouse Rd.
Arlington, VA 22201



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 6, 2021	Amends/Supersedes: July 1, 2019 September 27, 2018 July 15, 2015 February 18, 2014 August 1, 2012 May 11, 2010 January 1, 2008	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.05.01, ADM.05.02, ADM.05.03			

538.04 Use of Force

I. Policy

The Arlington County Police Department's highest priority is the sanctity of human life. In all aspects of their conduct, sworn officers will act with the foremost regard for the preservation of human life and the safety of all persons. The Department is committed to accomplishing its mission with respect and by using communication, crisis intervention, and de-escalation tactics before resorting to force, whenever feasible.

An officer's use of force is governed by the Fourth Amendment of the U.S. Constitution and the laws of the Commonwealth of Virginia. Officers may use force to bring an incident or non-compliant suspect under control, detain or arrest a person, prevent an escape, and/or protect the lives or personal safety of themselves or others. The amount of force applied by officers shall be objectively reasonable in light of the facts and totality of circumstances confronting them.

II. Definitions

- A. Active Countermeasures – Techniques that are used to gain control of or defend one's self and others from combative individuals. Active countermeasures include, but are not limited to, strikes to specific target areas, using hands, elbows, knees, legs, and feet, and/or methods used to take an individual to the ground.
- B. Authorized Impact Weapons - Weapons issued or specifically approved by the department for use in a striking manner. Such weapons include, but are not limited to, expandable batons, straight batons, side-handle batons, and certain large metal flashlights. Small flashlights not exceeding eight inches in length are not considered impact weapons for purposes of this directive.
- C. Control Holds – Joint manipulation techniques used to gain control of individuals who are resisting lawful orders, a threat to public safety or require detention for law enforcement purposes. Joint manipulation techniques, when applied correctly, target joints and sensitive nerves.

- D. **Deadly Force** - Intentional force, which if successfully effected, is reasonably likely to cause death or a grave, potentially fatal, injury.
- E. **De-escalation** - Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning. In regards to the use of deadly force, de-escalation may include taking cover, waiting for backup, trying to calm the subject prior to the use of force, or using less lethal force prior to the use of deadly force.
- F. **Less Lethal Force** - Intentional force, other than that which is considered deadly force, used to overcome the resistance of another, or to restrain and/or apprehend an unwilling person, which is not likely to cause death or a grave, potentially fatal, injury.
- G. **Mass or Area Deployment** - The dispersal of tear gas or other chemical substances across exterior open space or into buildings where area-wide coverage occurs, as opposed to a stream or other concentrated delivery of chemical substance aimed to strike a specific individual.
- H. **Neck Restraint** – The use of any body part or object to attempt to control or disable a person by applying pressure against the neck, including the trachea or carotid artery, with the purpose, intent, or effect of controlling or restricting the person's movement or restricting the person's blood flow or breathing, including chokeholds, carotid restraints, and lateral vascular neck restraints.
- I. **Objective Reasonableness** - A standard of caution wherein officers must determine the necessity for force, as well as the appropriate level of force, by evaluating the circumstances known to the officer at the time the decision to use force is made. The circumstances to be considered include, but are not limited to:
 - 1. The severity of the crime.
 - 2. The immediate threat posed by a suspect to the officer or others.
 - 3. The level of resistance presented by a suspect.
 - 4. The potential danger to the community posed by a suspect.
 - 5. Rapidly evolving circumstances and/or the rapidly changing dynamics of a situation.

III. Procedure

A. Standards for Use of Force

- 1. Use of physical force should be discontinued when resistance ceases or when the incident is under control.

2. Once the scene is safe and as soon as practical, an officer shall provide appropriate aid consistent with their training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
3. Sworn officers have a duty to intervene and restore appropriate order during any police action where the amount of force being used is beyond what is objectively reasonable.

B. De-escalation

1. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training whenever possible and appropriate before resorting to force and to reduce the need for force.
2. Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

C. Less Lethal Force

1. Officers shall apply a standard of objective reasonableness and consider the totality of the circumstances known to them at the time of an incident in their decision to use less lethal force.
2. Officers must select a level of force that is reasonable for the given circumstances. In less-lethal force situations, officers shall deploy only those weapons and techniques for which they are trained and only in the manner in which they were trained.
3. Officers are authorized to use less lethal force to:
 - a. Defend themselves or others from assaults and other threats.
 - b. Arrest, detain, subdue, control, and/or restrain a non-compliant suspect.
 - c. Prevent the escape of a suspect.
 - d. Bring an unlawful or dangerous situation safely and effectively under control.

D. Deadly Force

1. Virginia Code §19.2-83.5. Use of deadly force by a law-enforcement officer during an arrest or detention., states:
 - a. A law-enforcement officer shall not use deadly force against a person unless:
 - 1) The law-enforcement officer reasonably believes that deadly force

- is immediately necessary to protect the law-enforcement officer or another person, other than the subject of the use of deadly force, from the threat of serious bodily injury or death;
- 2) If feasible, the law-enforcement officer has provided a warning to the subject of the deadly force that he will use deadly force;
 - 3) The law-enforcement officer's actions are reasonable, given the totality of the circumstances; and
 - 4) All other options have been exhausted or do not reasonably lend themselves to the circumstances.
- b. In determining if an officer's use of deadly force is proper, the following factors shall be considered:
- 1) The reasonableness of the law-enforcement officer's belief and actions from the perspective of a reasonable law-enforcement officer on the scene at the time of the incident; and
 - 2) The totality of the circumstances, including:
 - a) The amount of time available to the law-enforcement officer to make a decision;
 - b) Whether the subject of the use of deadly force;
 - i. Possessed or appeared to possess a deadly weapon and
 - ii. Refused to comply with the law-enforcement officer's lawful order to surrender an object believed to be a deadly weapon prior to the law-enforcement officer using deadly force;
 - c) Whether the law-enforcement officer engaged in de-escalation measures prior to the use of deadly force, including taking cover, waiting for backup, trying to calm the subject prior to the use of force, or using non-deadly force prior to the use of deadly force;
 - d) Whether any conduct by the law-enforcement officer prior to the use of deadly force intentionally increased the risk of a confrontation resulting in deadly force being used; and
 - e) The seriousness of the suspected crime.
2. Officers are also authorized to use deadly force to prevent the escape of a dangerous suspect, provided that:
- a. The officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to officers and/or the public, and
 - b. The suspect has threatened the officer with a weapon, or the officer has probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm, and

- c. There appears to be no other reasonable alternative to prevent the escape, and that unless deadly force is used, the suspect will likely succeed in his escape effort, and
 - d. If feasible under the existing circumstances, some warning to the suspect has been given or attempted.
- 3. In situations where deadly force is authorized, officers may deploy any weapon, object, or technique at their disposal regardless of training and/or the object's intended purpose.
- 4. Deadly force should not be used against persons whose actions are a threat only to themselves or property.
- 5. Nothing in this directive requires, or encourages, officers to expose themselves to unreasonable risk, take extraordinary measures, or sustain injury before applying appropriate deadly force. However, all deadly force incidents will be rigorously investigated regardless of whether death occurs and involved officers will be held strictly accountable for the reasonableness of their actions.

E. Use of Firearms

- 1. Discharge of Firearms - Officers shall discharge firearms with appropriate care and caution, seeking to minimize the risk to unintended targets to the extent that is tactically feasible. Officers are referred to Manual directive *538.01 Firearms* for additional regulations pertaining to the use, storage, and care of departmental firearms. Officers may discharge firearms in the performance of their duty to:
 - a. Defend themselves or others in accordance with standards and requirements established in sub-section III. of this directive.
 - b. Apprehend a dangerous fleeing suspect in accordance with standards and requirements established in sub-section III. of this directive.
 - c. Deploy a Less Lethal Munition utilizing training and equipment provided by the department, in accordance with Manual directive *538.01 Firearms*.
 - d. Defeat a door, doorframe, or locking mechanism utilizing ballistic breaching training and equipment provided by the Department, in accordance with Manual Directive *538.01 Firearms*.
 - e. Humanely destroy a dangerous or suffering animal, in accordance with Manual directive *533.01 Animal Cases*.
 - f. Participate in firearms practice, requalification, and/or weapon maintenance at an approved firearms range.
- 2. Firearms Prohibitions - Officers shall not discharge a firearm to:
 - a. Fire a warning shot.

- b. Fire at a moving vehicle unless the discharge of a firearm is immediately necessary to protect the law-enforcement officer or another person from death or serious bodily injury.

Example 1 - An occupant of the vehicle is using, or is threatening to use, lethal force by some means other than the vehicle (e.g., occupant is firing a gun from the vehicle), or

Example 2 - The vehicle is operated in a manner deliberately intended to strike an officer or citizen, and all other reasonable means of defense, as well as all other reasonable evasive actions (including moving out of the path of the vehicle), have been exhausted, are not practical, or are not available.

- 3. Display of Firearms - Officers may unholster and/or display firearms whenever a reasonable anticipation exists that a firearm may be quickly needed, or as necessary and appropriate during normal maintenance, storage, and/or transport. Because the circumstances in which appropriate display of firearms are so numerous and varied, and because one officer's perception of a threat may differ from another's, this directive makes no attempt to describe all such situations. However, officers are directed to exercise sound judgment when displaying firearms, and to consider the safety and welfare of the public when doing so.

The mere display of a firearm, including the pointing of that firearm at a suspect without a subsequent discharge, does not constitute deadly force. However, the pointing of a firearm at any person is a serious act, and officers shall not do so unless they can tactically justify their action. Whenever a firearm is pointed at a person(s) the circumstances shall be documented in a Case Report or a Field Investigation (FI).

- F. Use of Neck Restraints – Officers are prohibited from using neck restraints, unless it is immediately necessary to protect the officer or another person from the threat of serious bodily injury or death.

- G. Use of Chemical Agents and Chemical Munitions

- 1. Chemical agents, such as pepper spray (OC), may be used in situations where force is permitted, provided that the officer has been trained in the use of the substance and is approved for such use by the department.
- 2. Chemical munitions may be deployed when:
 - a. Members of a crowd or other assembly assault, threaten, or endanger innocent bystanders, either by a direct act or by the creation of inherently dangerous conditions.
 - b. Members of a crowd or other assembly assault or threaten to assault any person by discharging weapons, throwing objects, physically storming police lines, or other acts that may endanger public safety.

- c. The action, movement, or placement of a crowd or other assembly, interferes with the delivery of medical, firefighting, law enforcement, or other essential public safety services.
 - d. Members of a crowd or other assembly engage in arson, destruction of property, looting, or other criminal acts.
 - e. Utilized to induce the surrender of a barricaded person, or to diminish that person's capacity to injure himself or others.
3. Mass or area deployment
- a. Consultation with the Tactical Operations Section Commander should occur when circumstances and time permit.
 - b. Chemical munitions designed and intended for deployment during crowd control, civil disturbance, and barricade situations shall occur only with the approval of the command official in charge of the tactical scene. This official must hold the rank of First Sergeant or higher, but may delegate this authority when required by tactical needs.
 - c. Where practical, the Emergency Communications Center should be notified shortly before chemical munitions are deployed. When prior notification is not made, the official shall cause notification to occur as soon after the event as practical.
 - d. The Chief of Police or designee may issue alternative rules of engagement for specific events or incidents. These alternative rules may expand the conditions for which the area-wide use of chemical agents are authorized, or may further restrict those conditions.
4. Treatment of Exposure to Chemical Agents - An officer shall arrange for the suspect sprayed or otherwise exposed to a chemical agent to be examined by medical personnel from the fire department or sheriff's office. This examination shall not be deemed an emergency (unless breathing difficulties are involved) but shall occur without unreasonable delay. It may occur at or near the scene, if practical, or upon arrival at the prisoner transport destination (e.g., booking, CID). The suspect shall be transported to a hospital or other appropriate acute care facility if:
- a. The fire department or sheriff's office personnel determine that the suspect requires attention at a medical facility.
 - b. The suspect is observed to have difficulty breathing or exhibits other symptoms that suggest an unusually adverse or abnormal reaction to the chemical agents.
 - c. The suspect specifically requests examination or treatment at a medical facility, regardless of whether the suspect has been examined by fire department or sheriff's office personnel.
 - d. In mass or area deployment situations, it may not be possible to offer medical attention to every exposed person. However, any exposed person who is subsequently arrested shall be examined and/or treated in accordance with the provisions of this directive.

- e. If an innocent bystander is unintentionally exposed to a chemical agent, the officer shall advise the bystander regarding the proper cleansing methods and shall offer to summon an ambulance. The officer shall also obtain the bystander's name and address for inclusion in relevant reports.
- H. Use of TASER - The use of a TASER is considered less lethal and may be deployed by officers in accordance with the provisions of Manual directive *538.05 Use of the TASER CEW*, section III.C. Deployment Criteria.
- I. Use of Impact Weapons - Officers may elect to use an authorized impact weapon in any situation where use of force is permitted, provided that the use of such weapon is objectively reasonable under the totality of the circumstances and the officer has been trained in the use of the impact weapon and is approved for such use by the department.
- J. Use of Specialized Weapons and Other Tactical Devices - Highly specialized weapons and/or tactical devices, including but not limited to, Noise Flash Diversionary Devices (NFDD), Less Lethal Munitions, ballistic breaching shotguns and other such devices may be used by specially trained officers in certain unusual situations (see Manual directives *538.01 Firearms* and *538.05 Use of the Taser CEW*).
 - 1. Officers who have not been trained and approved for such use shall not deploy these weapons. However, in situations where deadly force is authorized, officers may deploy any weapon or object at their disposal regardless of training and/or the object's intended purpose.
 - 2. While the use of these weapons and tactical devices does not constitute deadly force, their use may be governed by more restrictive rules of engagement than exist for standard less lethal force situations.
 - 3. Where applicable, enhanced rules of engagement may be found in Manual directive *538.01 Firearms* and/or the instructional materials distributed to authorized personnel during training.
 - 4. Officers authorized to deploy these weapons shall be apprised of the rules of engagement during training, and they shall observe those rules during all subsequent deployments unless expressly directed otherwise by an Incident Commander.
 - 5. With the exception of bean bags, Taser CEWs, ballistic breaching shotguns and certain Less Lethal Munitions, deployment of specialized weapons and/or tactical devices requires the approval of a command officer, although that command officer may delegate this authority, as tactical needs require.
- K. Use of Canine - In routine search and tracking applications, the use of a canine is not considered a use of force. For purposes of this directive, only an intentional deployment action resulting in an actual canine bite during the apprehension of a suspect shall qualify as a use of force. An incidental canine bite of the handler or other persons would not constitute a use of force. (See Manual directive *537.06 Police Canine*)


- L. Use of Handcuffs - In normal usage, the placement of handcuffs upon a compliant person is not considered a use of force. However, this type of encounter necessitates the accurate recording of the circumstances surrounding the decision to handcuff the person. When an officer places handcuffs on an individual, and the encounter does not result in the writing of a Case Report, the facts and circumstances of the incident shall be documented in a Field Investigation (FI). Rules and procedures governing the application of handcuffs can be found in Manual directive *536.05 Transporting and Processing In-Custody Arrestees*.
- M. Supervisory Review Responsibilities
 - 1. Respond to the scene.
 - 2. Ensure photographs are taken and any video or audio documenting the encounter is preserved.
 - 3. Complete a Use of Force review in BlueTeam summarizing the incident and the circumstances surrounding the use of force.
 - 4. Forward the Use of Force review with an attached copy of the Case Report and other supporting materials through the chain of command to the Office of Professional Responsibility (OPR) and the Chief of Police.
- N. Reporting Requirements
 - 1. Incidents Requiring Supervisory Notification
 - a. The officer used a firearm, chemical agent, other police weapon, or vehicle.
 - b. An injury or death occurred to any person.
 - c. An arrestee/detainee alleges injury during the arrest procedure.
 - d. An officer uses active countermeasures.
 - e. An officer encounters an individual with obvious injuries, and the circumstances of the encounter are such that the person may reasonably claim the injuries resulted from contact with the officer. (Non-Use of Force Injury).
 - f. An officer becomes aware of an allegation of excessive force (supervisor shall notify the appropriate chain of command and OPR immediately).
 - g. Unless one of the above situations occur, incidents involving passive resistance to handcuffing or control holds do not have to be reported.
- O. Office of Professional Responsibility Responsibilities
 - 1. Review all uses of force.
 - 2. Investigate any use of force resulting in death, serious bodily injury, or an excessive force complaint.
 - 3. Assess whether any related policy, training, or equipment issues should be addressed.

4. Identify officers who are becoming or are likely to become at risk to violate use of force or other department directives through the Early Intervention Program.
- P. Officer Involved Action Resulting in Death or Serious Bodily Injury – Refer to Manual directive *538.07 Officer Involved Action Resulting in Death or Serious Bodily Injury*.

This directive does not create a standard of safety or care above which is embodied in law, nor does it enlarge an officer's civil or criminal liability in any way. Rather, violations of this directive may form the basis for disciplinary action by the department in an administrative setting only.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 6, 2021	Amends/Supersedes: New	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.02.02, OPR 08.01			

536.06 Search and Seizure

I. Policy

Searches and seizures effected by officers shall be conducted reasonably and in accordance with the [Fourth Amendment](#), applicable state law, and relevant case law, taking into account the totality of the circumstances of an incident in order to ensure an equitable and effective criminal justice process. Officers are required to document all searches and seizures.

II. Procedure

- A. A search or seizure must be based on specific, articulable facts establishing criminal behavior and may not be based on a person's race, color, religion, national origin, sex, gender identity, sexual orientation, age, or disability, except when those factors are used as descriptors to identify a suspect.
- B. When practicable, before searching a person of a different sex, an officer should request an officer of the same sex of the person to be searched to conduct the search. If no such officer is available, another officer shall witness the search.
- C. Search Warrants
 1. An [Affidavit For Search Warrant](#) must be based on probable cause and contain material facts pertaining to the alleged criminal offense and its correlation to the search for evidence.
 2. Officers shall adhere to all procedures for obtaining, executing, and returning search warrants as prescribed in [Title 19.2, Chapter 5, of the Code of Virginia](#).
 3. A search warrant does not need to be returned by the officer who obtained or executed it; it may be returned by any sworn officer.
- D. Consent Searches
 1. A consent search is a search conducted with the voluntary consent of a person lawfully in charge of the thing to be searched.
 2. Officers may only request or conduct consent searches based on reasonable articulable suspicion of criminal activity.

3. Consent searches should be captured on video when possible. If video is not available, the officer conducting a consent search should complete the [Permission For Search](#) form prior to conducting a consent search.
4. Officers shall immediately cease searching when consent is withdrawn, except in situations where the result of a search prior to withdrawal of consent provides probable cause for the continuance of a lawful, non-consensual search.

E. Plain View Doctrine

1. The plain view doctrine allows an officer to seize evidentiary items or contraband when discovered in plain view. Seizures under plain view are within the law when:
 - a. An officer is in a place where the officer has a legal right to be.
 - b. An officer does not move, inspect, open, or search the item before determining it to be some form of contraband.
 - c. An officer has a lawful right of access to the item.
 - d. The incriminating nature of the item is immediately apparent.

F. Searches Incident to Arrest

1. A search incident to arrest is a search of an arrestee's person and the area within the arrestee's immediate control.
2. Prior to transport, all arrestees being taken to a secure facility must be thoroughly searched.
3. An officer may search a vehicle incident to a recent occupant's arrest if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe the vehicle contains evidence of the offense for which the person is being arrested.

G. Terry Stops and Pat-Downs

1. A Terry Stop is a brief seizure of a person based on reasonable, articulable suspicion that a person has committed, is committing, or is about to commit a crime. A Terry Stop may only last as long as necessary for an officer to either confirm or dispel the initial reasonable articulable suspicion.
2. A Terry Pat-Down is a limited search of the outside of a person's clothing for weapons, based on reasonable, individualized articulable suspicion that the person has committed, is committing, or is about to commit a crime and is armed and dangerous.
3. During a Terry Pat-Down an officer may not go into the person's pockets or manipulate any object felt during the pat-down. However, if an officer feels an object that is immediately recognizable as contraband, that object may be seized; this is commonly known as the "plain feel" doctrine.

H. Exigent Circumstances

1. Warrantless searches may be conducted under exigent circumstances. Generally, exigent circumstances which would allow a warrantless search fall into one of the following categories:
 - a. Prevention of imminent bodily harm.
 - b. Prevention of imminent destruction of evidence.
 - c. Hot pursuit of a suspect. Warrantless searches under hot pursuit must meet the following three criteria:
 - 1) The fleeing person has committed a serious offense or crime of violence.
 - a) Serious offense means any felony, reckless driving, DUI, or drug offense that involves personal injury to another.
 - b) Crime of violence means the use, attempted use, or threatened use of physical force against the person or property of another or any felony offense that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.
 - 2) The pursuit must begin in a public place.
 - 3) The pursuit must be immediate and continuous.

I. Strip Search

1. As stated in [VA Code § 19.2-59.1](#), no person in custodial arrest for a traffic infraction, Class 3 or Class 4 misdemeanor, or a violation of a city, county, or town ordinance, which is punishable by no more than 30 days in jail shall be strip searched unless there is reasonable cause to believe on the part of a law-enforcement officer authorizing the search that the individual is concealing a weapon.
2. Officers conducting a strip search shall adhere the following:
 - a. An officer must obtain supervisory approval prior to conducting a strip search unless exigent circumstances exist that present a reasonable risk of death or serious bodily injury.
 - b. A search warrant shall be obtained prior to performing any non-consensual strip search except under exigent circumstances.
 - c. A strip search shall only be conducted by an officer who is a member of the same sex as the person arrested and be attended by a backup officer, also of the same sex.
 - d. A strip search will be conducted in an area which cannot be observed by persons not conducting the search.

J. Body Cavity Search

1. Unless exigent circumstances exist that present a reasonable risk of death or serious bodily injury, officers shall obtain both supervisory approval and a search warrant before conducting a search of any body cavity, other than the mouth.
 - a. A body cavity search shall only be conducted by medically trained personnel.
 - b. In addition to the medically trained personnel conducting the search, the only persons who shall observe the search shall be officers of the same sex as the arrestee. Such observers may only be present when needed for a legitimate law enforcement purpose, such as controlling the person being searched or witnessing or seizing any contraband or evidence found during the search.

K. Protective Sweeps

1. Officers conducting a lawful search may conduct a limited search—known as a protective sweep of areas accessible from the area being searched when they have a reasonable, articulable suspicion that there is a person or persons present who may pose a danger to the safety of police officers or others at the scene. A protective sweep shall not be motivated by a search for evidence.

III. Search Documentation

A. All searches shall be documented.

1. Searches that result in the finding of contraband or evidence shall be documented in a Case Report.
2. Searches that do not result in the finding of contraband or evidence may be documented in a Field Investigation.
3. Searches conducted during a traffic stop that do not result in the finding of contraband or evidence shall be documented on a Virginia Uniform Summons.

B. Search documentation shall contain the following information:

1. The officer conducting the search.
2. The officer who obtained, executed, and returned the search warrant, if applicable.
3. The person, place, or thing being searched.
4. The justification for the search (search warrant, consent, exigency, etc.)
5. A description of any evidence or contraband seized.
6. Measures taken to secure the building, home, vehicle, etc., at the conclusion of the search, if applicable.

7. If an officer obtains written consent to search, the document granting consent shall be scanned and attached to the Case Report in LERMS or uploaded to Evidence.com and tagged with the case number. The original document granting consent shall be submitted as evidence.
8. Whenever a strip or body cavity search is conducted, the following shall be documented in a Case Report
 - a. The parts of the body searched.
 - b. The name of the medically trained personnel who conducted the search.
 - c. The names of all officers present during the search.
 - d. The name of the supervisor who approved the search, if applicable.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVES MANUAL



INDEX

The Legislative Affairs and Inspectional Services Unit maintains the below index. This information is routinely updated when policy changes occur. If any employee becomes aware of an error in this index, or believes that the index omits an entry that would be helpful, notify the Legislative Affairs and Inspectional Services Unit so that an appropriate correction or addition can be made. Voice mail messages may be left at extension 4343.

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Emergency Response Teams	see "ERT"
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Word or Phrase	Section(s)
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ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 23, 2021	Amends/Supersedes: December 11, 2020	By Authority of the Chief of Police
Accreditation Standard(s): OPR.01.11, OPR.14.01			 Charles A. Penn

517.08 Digital Evidence Management System (DEMS)

I. Policy

The department provides officers with Body Worn Cameras (BWCs), In-Car Cameras (ICCs), and Interview Room Cameras (IRCs) which will be used to document digital audio and video recordings of law enforcement activity and interactions with the public. Recordings are meant to provide an objective record of events and do not necessarily reflect the exact nature of the event or state of mind of an individual officer during a given incident. Moreover, video recordings have limitations and may well depict events differently from the way they are interpreted or recalled by an involved officer. Recording equipment may capture information that may not have been heard and/or observed by the involved officer. Additionally, recording equipment may not capture information that may have been heard and/or observed by the involved officer.

II. Code Requirements

- A. [§ 19.2-62. Interception, disclosure, etc., of wire, electronic or oral communications unlawful; penalties; exceptions.](#)
- B. [§ 19.2-63.1. Supervision and control of devices; unauthorized possession.](#)
- C. [§ 19.2-390.04. Custodial interrogations; recording.](#)

III. Definitions

- A. Body Worn Camera (BWC) – A device which is affixed to an officer's outermost garment and when activated is capable of digital audio and video recordings that are uploaded to a secure cloud-based server. The BWC is integrated with the ICC, and the two work together to capture multiple views of the same incident.
- B. Consensual Contacts – Contact with the public that is voluntary and not investigative in nature.
- C. DEMS Administrator – A Police Department employee whose full-time position is to oversee the DEMS program and its equipment.
- D. Enforcement Contacts – Contact with the public intended to generate compliance with a law and/or facilitate an arrest.
- E. Cloud – A secure, cloud-based system that houses all audio and video captured by BWCs, ICCs, and IRCs.

- F. In Car Camera (ICC) – A device, which is permanently installed in a police vehicle, which when activated, is capable of digital audio and video recordings that are uploaded to a secure cloud-based server. The ICC is integrated with the BWC, and the two can work together to capture multiple views of the same incident.
- G. Interview Room Camera (IRC) – A device which is permanently installed in an interview room, which is capable of digital audio and video recordings that are uploaded to a secure cloud-based server.
- H. Investigative Contacts – Contact with the public that requires an officer to conduct an inquiry to determine more facts. For the purpose of this policy, any officer contacting an individual suspected of violating any law shall be presumed to be engaged in an investigative contact.

IV. Procedures

- A. The department uses a cloud-based Digital Evidence Management System (DEMS) that provides officers, supervisors, and command staff the ability to upload, manage, review, share and process digital evidence captured by body worn cameras, in-car cameras, and interview room cameras. The system is administered by the Digital Evidence Management Unit which is part of the Support Management Section.

B. Camera Type

1. Body Worn Cameras (BWC)

- a. Training – Before being authorized to use the BWC, officers shall be trained on the proper use of the equipment.
- b. Issuance
 - (1) All officers who are issued a BWC shall wear their BWC when on-duty, working County-related secondary employment, or working Department police-related secondary employment as defined in Manual section 512.03.
 - (2) Officers issued a BWC solely because of an ancillary assignment (CDU, ERU), shall wear their BWC during those assignments as well as when working patrol backfill, off-duty traffic enforcement to include DUI enforcement, County-related secondary employment, or working Department police-related secondary employment as defined in Manual section 512.03.
 - (3) Officers who are not issued a BWC shall utilize a spare BWC, when available, to work patrol backfill, off-duty traffic enforcement to include DUI enforcement, County-related secondary employment, or working Department police-related secondary employment as defined in Manual section 512.03.
- c. Mounting – The BWC shall be worn externally on the outermost garment of clothing utilizing the proper mount. Plain clothes officers issued a BWC conducting covert surveillance may wear the BWC in an

alternate location when necessary. When practical and safe, officers should monitor the position of the BWC to ensure the camera lens is not obscured and is positioned in a way that best captures evidentiary footage.

- d. Storage of Devices – All BWCs shall be stored in the docking stations in Operations Patrol roll call for timely uploading and charging while not in use.

- e. Officer Responsibilities

- (1) Activating the BWC – Each officer assigned a BWC shall sign on and activate the system before beginning their tour of duty. Officers shall maintain both of their issued BWCs in a constant state of operational readiness throughout their shift.
- (2) Pre-Shift Inspection – Officers shall test the BWC equipment at the beginning of their shift to ensure proper functionality.
- (3) Malfunctions – If problems are discovered during the pre-shift inspection, or at any time during the use of the system, the officer shall immediately switch to their alternate camera and contact their supervisor. Supervisors shall notify the DEMS Administrator, as soon as practicable, by email to report malfunctioning BWC equipment.
- (4) Post-Shift Duties – At the end of their tour of duty, officers shall ensure all recordings have been properly tagged, and sign off from the system.
- (5) Uploading – All files shall be securely uploaded to evidence.com.
- (6) Evidence – Any video file marked as evidence shall be tagged as such and uploaded to the cloud. A portion of the uploaded video should be viewed to ensure a successful upload has taken place.
- (7) Training – Identify videos that may serve as training tools and report these to their immediate supervisor for retention.

- f. Supervisor Responsibilities

- (1) Ensure officers use BWCs in accordance with this written directive.
- (2) Review video and re-categorize a recorded event for indefinite retention if a complaint is made, an officer has reason to believe an incident may generate a complaint, or the video becomes associated with an administrative investigation.
- (3) Ensure officers are tagging all recorded videos.
- (4) Conduct quarterly audits of officer videos under their direct supervision to ensure compliance with this policy.

- g. Recording Requirements

- (1) Mandatory Recording – All investigative and enforcement contacts, as well as all contacts specifically related to a call for service by officers issued a BWC, shall be recorded.

- (a) Officers shall activate their BWC, as soon as practicable, upon receipt of, and while en route to, any dispatched call.
 - (b) If not dispatched, officers shall activate their BWC upon their arrival on scene of any call for service, or traffic stop, they elect to assist with.
 - (c) During any consensual encounter, officers shall activate their BWC upon request of the citizen with whom they are interacting.
- (2) Exceptions – Officers may, under rare circumstances, elect to capture audio only with no video, video only with no audio, or deactivate the BWC altogether. Officers should, when reasonable and practical to do so, notify their supervisor and provide a recorded audible explanation prior to taking any of the above actions. Officers shall document the reasons for any partial, or full deactivation, of the BWC in a police incident report. All deactivations will be reviewed by a supervisor to ensure appropriate actions are consistent with this policy. Examples of circumstances that may impact an officer's decision not to record include, but are not limited to:
 - (a) Recording would interfere with the ability to conduct an investigation, such as when dealing with a confidential informant.
 - (b) Recording would be inappropriate, due to the victim or witnesses' physical condition (e.g., in a state of undress), emotional or mental state, age, status as a victim of a sexual assault, or other sensitive circumstances and the encounter is non-confrontational.
 - (c) A victim or witness refuses to provide a statement if recorded and the encounter is non-confrontational.
 - (d) Recording would capture sensitive tactical conversations that could jeopardize future officer safety if released to the public.
- (3) Optional Recording – Officers may use their discretion when recording incidents which do not require BWC activation under this directive. Officers are encouraged to use BWC's during any situation they feel is appropriate, provided it is not specifically prohibited by this directive.
- (4) Notification of Recording - At their discretion, an officer may inform any citizen, suspect, or arrested individual that their actions/ conversations are being recorded. An officer is not required to discontinue recording at the request of anyone other than a supervisor.
- (5) Deactivating a Recording - Once the BWC has been activated during an incident, the BWC shall not be deactivated until the conclusion of the incident. If an officer fails to activate the BWC,

fails to record the entire contact, or interrupts the recording, the officer shall provide a recorded audible explanation, and provide a written record in the police case report, detailing why the recording was not made, was interrupted or was terminated. As soon as it is safe, reasonable, and practical to do so, the officer shall also notify their supervisor. All deactivations, interruptions, or failure to record an entire incident, will be reviewed by a supervisor to ensure appropriate actions consistent with this policy.

- (6) Accidental or Unintentional Recordings – If the BWC is activated accidentally or unintentionally, the officer will tag the recording appropriately following deactivation.

h. Privacy and Restricted Use

- (1) Restrictions on Recording – Officers shall not:

- (a) Record conversations of department employees without their knowledge during routine, non-enforcement related activities.
- (b) Record in places where a reasonable expectation of privacy exists, such as a medical facility, locker rooms or restrooms, unless the activation is required for the performance of official duties.
- (c) Intentionally or willingly record confidential informants or undercover officers.
- (d) Edit, alter, erase, share, modify or tamper with recorded data.
- (e) Record when restricted by courthouse policies. Officers are prohibited from recording in any federal, state, or local courthouse to include proceedings with the Magistrate.

- (2) Restrictions on Recording – Officers should not routinely:

- (a) Record when speaking to victims and witnesses of crimes who wish to protect their identity.
- (b) Record during the Lethality Assessment Program (**LAP**) process, to include the screening and conversation held with the Domestic & Sexual Violence Hotline by Doorways for Women and Families.
- (c) Record when restricted by courthouse policies, record in any federal, state, or local courthouse to include proceedings with the Magistrate and while in booking.

- (3) Prohibited Uses – BWC's are for official law enforcement purposes only and shall not be used to record personal activity.

2. In-Car Camera

a. Training

- (1) All officers using a vehicle equipped with an in-car camera will receive training on the system and its operation.

b. Equipment

- (1) All patrol vehicles and some specialty vehicles will be equipped with the ICC camera system. This system includes a front facing dash camera and a secondary camera which faces the inside of the transport cage. In vehicles without a transport cage, the camera will be rear facing.

c. Officer Responsibilities

- (1) Activating the ICC – Each officer assigned a vehicle equipped with an ICC shall sign on and activate the system before beginning their tour of duty. Officers shall maintain the ICC in a constant state of operational readiness throughout their shift.
- (2) Pre-Shift Inspection – Officers shall test the ICC equipment at the beginning of their shift to ensure proper functionality.
 - (a) Malfunctions – If problems are discovered during the pre-shift inspection, or at any time during the use of the system, the officer shall immediately contact their supervisor, who should reassign the officer a vehicle with a working ICC, if available. Supervisors shall report malfunctioning ICC equipment to the DEMS Administrator.
- (3) Post-shift Duties – At the end of their tour of duty, officers shall ensure all recordings have been properly tagged, and sign off from the system.
- (4) Uploading – All files shall be securely uploaded to evidence.com.
- (5) Evidence – Any video file that is evidence shall be tagged as such and uploaded. A portion of the uploaded video should be viewed to ensure a successful upload has taken place.

d. Supervisor Responsibilities

- (1) Ensure officers use ICCs in accordance with this written directive.
- (2) Review video and re-categorize a recorded event for indefinite retention if a complaint is made, an officer has reason to believe an incident may generate a complaint, or the video becomes associated with an administrative investigation.
- (3) Ensure officers are tagging all recorded videos.
- (4) Conduct quarterly audits of officer videos under their direct supervision to ensure compliance with this policy.

e. Activations

- (1) The ICC system will automatically activate under the following circumstances:
 - (a) The vehicle emergency lights are activated (rear light bar only does not activate ICC system),
 - (b) The police vehicle speed reaches 80 mph.,

- (c) The police vehicle accident sensor is triggered.
- (2) Officers are required to activate the ICC during the following activities:
 - (a) Traffic Stops – The ICC shall remain activated for the duration of the traffic stop and deactivated only after the traffic stop has ended and the violator and/or officer has left the scene.
 - (b) Vehicle Pursuits – The ICC shall remain activated for the duration of the pursuit and deactivated only after the pursuit has ended, or upon the completion of any arrest or subsequent on-scene investigation, whichever is longer.
 - (c) Emergency Response – The ICC shall remain activated for the duration of an emergency response and shall remain activated until the emergency equipment is deactivated, and the event has concluded.
 - (d) Arrestee Detention/Transport – The ICC shall remain activated, at all times, when a suspect or arrestee is placed in a police vehicle, and remain activated until the suspect or arrestee is removed from the vehicle.
 - (e) Dispatched Calls for Service – Officers shall activate their BWC as soon as practicable, upon receipt of, and while en route to, any dispatched call. The system is designed to activate the ICC when in proximity to the BWC. Should this fail to occur, officers should activate the ICC manually prior to responding to the call for service.
- f. Restrictions on Recording – Officers should not routinely:
 - (1) Record when speaking to victims and witnesses of crimes who wish to protect their identity.
 - (2) Record during the Lethality Assessment Program (LAP) process, to include the screening and conversation held with the Domestic & Sexual Violence Hotline by Doorways for Women and Families.
 - (3) Record when restricted by courthouse policies, record in any federal, state, or local courthouse to include proceedings with the Magistrate and while in booking.
- g. Prohibited Uses – ICC's are for official law enforcement purposes only and shall not be used to record personal activity.

3. Interview Room Cameras

- a. Training
 - (1) Prior to operating the IRC system, officers will receive training.
- b. Equipment
 - (1) The IRC system consists of cameras and microphones that are permanently affixed inside the interview rooms.

- (2) The IRC is accessed by touch panels that are located in the Criminal Investigations Section.

c. Officer/Detective Responsibilities

- (1) The system should be activated prior to placing any suspect or defendant in an IRC equipped interview room.
- (2) If that is not feasible, the system must be activated within three (3) minutes of placing any suspect or defendant in an IRC equipped interview room.
- (3) At the conclusion of the interview, the touch panel will be utilized to enter data, classify the interview, and deactivate the system.

d. Supervisor Responsibilities

- (1) CIS supervisors should conduct quarterly audits to ensure that their personnel are utilizing the IRC system properly, as prescribed in this policy.

e. Recording Requirements

- (1) All suspect and defendant interviews shall be recorded by officers or detectives on the IRC system.
- (2) The recorded interview will automatically upload to evidence.com

C. System Administration

1. Access

- a. Property of Recordings – In accordance with Manual directive [574.02 Recording Devices](#), all recordings associated with BWCs, ICCs, and IRCs are the sole property of the department and may not be given, sent, transferred, recorded or duplicated in any way, or transmitted to any other person or entity unless approved by the Chief of Police, or designee.
- b. Officers may review their own video and audio footage of an incident in which they were involved, prior to preparing a report or making a statement about the incident with the following exception.
 - (1) Following an incident governed by Manual directive [538.07 Officer Involved Action Resulting In Death or Serious Bodily Injury](#), an officer may not view or listen to the recording prior to writing a report or providing a statement.
- c. Access shall be audited by the DEMS Administrator or Office of Professional Responsibility to ensure that only authorized users are accessing data for legitimate and authorized purposes.


2. Documentation – The existence of a recording shall not act as a replacement for a written report. When completing a police case report, the officer should indicate that video of the incident exists. Any additional officer(s) arriving on scene should document the existence of any supplemental recordings.

3. Recording outside of the Commonwealth of Virginia – An officer using a BWC or ICC to record outside the Commonwealth of Virginia, shall notify the citizen, suspect or arrested individual that the audio and/or video portion of the BWC or ICC is recording.
4. Administrative Oversight
 - a. Downloading
 - (1) Other than for evidentiary purposes, only the Chief of Police, or designee, has the authority to authorize the downloading and/or dissemination of any recorded server files.
 - (2) For evidentiary purposes, the Office of the Commonwealth's Attorney and County Attorney shall be the only entities that can authorize copying of certain portions of a recording for purposes of a trial.
5. Audits - The use of the DEMS system is subject to monitoring. Supervisors will conduct routine reviews of the system to ensure proper functionality and compliance with this and other directives. The DEMS Administrator will be responsible for monitoring and compiling the results of all system audits.
6. Review of incidents - During the review of an incident, supervisors are permitted to conduct audits of an officer's recordings. A violation of the department's written procedures may result in disciplinary action.
7. Use of Recordings for Training Purposes - Periodically, recorded incidents may prove useful as training aids. Whenever an event is perceived to be a training aid, the officer responsible for generating the recording should notify and review the incident with their supervisor. If the supervisor determines the video to have training value and they have received approval by the Office of Professional Responsibility, through their chain of command, they should provide the Training and Career Development Unit with a link to the video.
8. Review/Access to Video – Access to BWC, ICC, and IRC footage is restricted to employees, authorized by the Chief of Police, to access BWC, ICC, and IRC data.
9. Supervisors - Supervisors are only permitted to view recordings made by officers under their direct supervision, and videos related to incidents they are investigating, unless otherwise directed by the Chief of Police or designee.
10. Video Deletion – Accidental recordings, such as not turning off the camera while using the restroom or during a meal break, may be requested for immediate deletion. An officer shall notify their supervisor of the accidental recording by completing a Request to Delete Form. If the supervisor agrees the video should be deleted, they will sign the form and forward it to the DEMS Administrator, who will also sign the form and be responsible for deleting the video. This Request to Delete Form will be retained as an official record.

11. Mandatory Review of Certain Recordings – When conducting a use of force investigation, or administrative investigation, all BWC, ICC, and IRC recordings associated with an incident shall be reviewed by the supervisor and/or Office of Professional Responsibility to ensure correct tagging and classification.
12. Privacy – If an officer records in a location where individuals have a reasonable expectation of privacy, such as a residence, the individual may make a formal request to the Office of Professional Responsibility that the recording be restricted from public release or deleted. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
13. Freedom of Information Act Requests – Only the Chief of Police, or designee, may authorize the release of any recordings. These recordings shall be considered official records and are regarded with the same lawful rules of confidentiality. FOIA requests for audio/video recordings shall be forwarded to the Office of Professional Responsibility for processing.
14. Storage and Retention - Digital evidence will be stored in accordance with the [Library of Virginia, Records Retention and Disposal Schedule](#). DEMS recordings, not classified as Evidence or not contained in the above schedule, shall be retained for ninety (90) days. Any video, classified as an Administrative Investigation and/or Critical Incident, that is later reclassified to a different category based on the outcome of the investigation, shall be subject to deletion based on the final category and original date of the recording.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 23, 2021	Amends/Supersedes: May 6, 2021 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.02.01, OPR.02.02, OPR.02.03, OPR.02.05			

530.01 Preliminary & Follow-up Investigations

I. Policy

All investigations will be guided by the facts and conducted impartially without regard to citizenship, race, ethnicity, religion, gender, sexual orientation, political beliefs or affiliations, age, or social or economic status of the victim or suspect. The means and resources utilized by the department will be appropriate to the specific needs of the investigation and the seriousness of the offense.

II. Procedure

A. Preliminary Investigation

1. The preliminary investigation is a critical step in the overall criminal investigation process and begins when the first officer or detective arrives on scene or contacts the complainant or victim.
2. The success or failure of an entire case hinges on the quality and accuracy of information uncovered during the preliminary investigation.
3. The preliminary investigation is ordinarily conducted by the uniformed patrol officer assigned to the call for service - except in cases where the presence of a uniformed officer would obviously hinder a proper investigation or specific expertise is required.
4. Patrol officers should not hesitate to request assistance and advice from Criminal Investigations, Homeland Security, or Organized Crime Section investigators whenever specialization or expertise would benefit their investigative efforts.
5. The responding officer should initiate and complete as many of the activities listed below as are necessitated by the individual circumstances of the incident:
 - a. Request aid and if trained render assistance to the injured when the situation allows.
 - b. Determine if a crime has been committed, and if so, the exact nature of the offense.
 - c. Protect the crime scene to ensure that evidence is not lost or contaminated.

- d. Observe and record pertinent conditions, events and remarks.
 - e. Identify and confirm the jurisdiction in which the incident occurred.
 - f. Determine the identity of the suspect or suspects and, if possible, effect an arrest, if appropriate.
 - g. When a suspect is identified, and there is sufficient evidence linking them to a crime, but the arrest cannot be made at the time of the incident, a warrant should be sought and entered into NCIC/VCIN.
 - h. Through the police radio dispatcher, furnish other field units with descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles and/or use or possession of weapons.
 - i. Obtain complete identification and contact information of all witnesses.
 - j. Determine in detail the exact circumstances of the offense and what information is known by the victim and each witness.
 - k. Arrange for the collection of evidence and crime scene processing.
 - l. Maintain scene security, evidence integrity, and chain of custody until relieved by an appropriate resource.
 - m. Obtain written statements from victims and witnesses, and from suspects if such statements can be obtained legally.
 - n. Accurately and completely record all pertinent information.
 - o. Make appropriate NCIC/VCIN entries, and clearances, if applicable.
 - p. Initiate action to inform other appropriate department units that a serious crime or one requiring immediate on-the-scene follow-up investigation exists.
 - q. When necessary brief investigators who may assume the follow-up investigation as to the known facts of the case.
 - r. Complete a detailed case report and submit through LERMS prior to the end of shift, or with the approval of a supervisor at the earliest possible time, consistent with workload demands and public safety concerns.
 - s. Alternative Reporting Office and Logistics Unit personnel will submit reports to their supervisor for review or in the supervisor's absence to an on-duty patrol section supervisor.
6. When there is an immediate need to continue an investigation at the end of a patrol shift the on-duty supervisor will contact an oncoming supervisor and brief them on the situation. The transfer of information to the oncoming patrol shift may be verbal or written and, if available, include a copy of the original case report. The actions taken by the oncoming patrol section should be documented and subsequently provided to the shift that requested the assistance.

7. A request for assistance or referral of a preliminary investigation to the Criminal Investigations Division (CID) is permitted during a significant police incident impacting the delivery of police services, a high priority case requiring immediate attention, when the Operations Division is experiencing extreme personnel shortages for regular assignments, or during periods of high workload demands, as determined by a Patrol Section Commander, Acting Section Commander, or Watch Commander. The transfer of investigative responsibilities must not jeopardize the successful completion of the investigation.
8. Special Circumstances – Investigations involving allegations of sexual or physical child abuse or neglect will generally be conducted by child forensic interviewers from the Arlington County Child Advocacy Center (CAC) and detectives from the Special Victim's Unit. Officers conducting preliminary investigation of child abuse or neglect should conduct a "minimal facts" interview that provides a basis for the forensic interview. The minimal facts interview should be limited to the following questions:
 - a. What type of abusive activity happened?
 - b. Where did it happen? Multiple jurisdictions?
 - c. When did it happen?
 - d. Who is/are the alleged perpetrator(s) and their relationship to the child? Where are they now? Do they have access to the child?
 - e. Are there witnesses and/or other children? Who did the child tell?
 - f. Is the child victim physically and emotionally safe?
 - g. Explain the CAC interview and what happens next as appropriate.

B. Follow-Up Investigations – General Guidelines

1. Supervisor Responsibilities

- a. Assign cases for follow-up investigation based on the degree of seriousness of the offense and the presence or absence of solvability factors, including:
 - 1) Can a suspect be named?
 - 2) Can a suspect be identified?
 - 3) Can a suspect vehicle be identified?
 - 4) Is there a witness to the crime?
 - 5) Is there significant evidence?
 - 6) Is there traceable property involved?
 - 7) Was a unique M.O. employed?
 - 8) Was there a minimum delay in reporting?
- b. Manage the existing investigative workload of the assigned detective.
- c. Consider section and unit investigative capabilities.

- d. Ensure the personnel assigned to conduct an investigation have the skills, knowledge, and abilities required for the assignment.
- e. Ensure mutual cooperation, understanding and exchange of information among all department units.
- f. Investigators from any division, section, or unit may, with prior supervisory approval, work overtime on specific investigations when there is a need.

2. Investigator Responsibilities

- a. Criminal Cases - In a criminal case, the purpose of the follow-up investigation is to gather additional evidence and information to prove the elements of a particular crime in order to effect an arrest and support prosecution of the perpetrator and/or to recover stolen property.
 - 1) Reviewing and analyzing reports of preliminary investigations.
 - 2) Recording information obtained during follow-up investigation.
 - 3) Reviewing department records for investigative leads.
 - 4) Seeking additional information from other officers, informants, contacts in community, other investigators and agencies.
 - 5) Interviewing victims and witnesses.
 - 6) Interviewing suspects.
 - 7) Arranging for the dissemination of information such as teletypes and lookouts as appropriate.
 - 8) Planning, organizing, and conducting searches.
 - 9) Securing and collecting physical and digital evidence.
 - 10) Recovering stolen property and facilitating its return, if possible.
 - 11) Arranging for the analysis and evaluation of evidence.
 - 12) Reviewing results from laboratory examinations.
 - 13) Identifying and apprehending the perpetrator.
 - 14) Checking for suspect(s) criminal history.
 - 15) Determining if other crimes may have been committed by the suspect.
 - 16) Preparing a case file for review by the Commonwealth's Attorney
 - 17) Testifying in court.
- b. Non-Criminal Cases - The purpose of the follow-up investigation in a non-criminal case is to gather additional information or to carry out actions which will lead to closure of the case.
 - 1) Interviewing complainants and witnesses.
 - 2) Locating missing persons.

- 3) Determining if information or suspicious activity relates to criminal activity.
- 4) Distributing information to the proper persons or agencies.
- 5) Locating lost property and returning same to the owner.
- 6) Investigating deaths, overdoses, suicides and injuries to determine if a crime was committed.
- 7) Making necessary notifications and conducting necessary inspections.
- 8) Document information obtained.
- 9) Reviewing any property submitted to the Evidence & Inventory Management Unit to determine if it should be kept, released, or destroyed.

C. Follow-Up Investigations – Operations Division

1. Patrol officers may conduct follow-up investigations within the County, but patrol responsibilities and emergency calls for service will be given top priority.
2. Patrol officers may conduct follow-up investigations outside the County but must first obtain supervisory approval.
3. Patrol officers are required to wear their regular on-duty police uniforms while conducting follow-up investigations, unless a supervisor approves the use of plain clothes.
4. When within broadcast range officers will maintain radio contact with the ECC.
5. A patrol officer may work overtime on specific investigations with prior supervisory approval.

D. Follow-Up Investigations - Criminal Investigations Division

1. Investigative Responsibilities

For the categories of offenses that each section/unit is specifically tasked with investigating see Manual directive *300.00 Organization and Administration*:

- a. 341.00 Criminal Investigations Section.
- b. 342.00 Organized Crime Section.
- c. 343.00 Homeland Security Section.

2. Case Review

- a. Cases are distributed via LERMS by pre-assigned case categories and are to be reviewed and assigned either by that unit's supervisor or MPO.
- b. The case type (Open, Detective Contact, Inactive, or Admin Contact) will be assigned for the appropriate type of follow-up.

3. Case Management

- a. CID section commanders should establish a timeline/due date for follow-up supplements generated by detectives assigned to their section.
- b. CID unit supervisors will be responsible for the management of cases assigned to their respective personnel.
- c. CID supervisors are responsible for the review of case supplements.
- d. An investigation may be suspended when the assigned case officer and unit supervisor believe no additional information or leads are likely for a successful conclusion of the case.
- e. CID unit supervisors will review and either approve or return, for further action, all supplemental reports submitted by investigators under their supervision.
- f. Case supplements should be checked against original case reports to ensure that all leads have been explored and to verify report numbers. The supplemental reports will then be forwarded to the CID sections for further review.
- g. Investigators from any division, section, or unit may, with prior supervisory approval, work overtime on specific investigations when there is a need.
- h. CID supervisors who feel that a particular case requires expertise not available in their unit, or that it is in the department's best interest for another unit to follow-up on a case assigned to their unit, are free to contact other supervisors to provide a workable exception to the above procedure.


4. Investigator Responsibilities

- a. Review all assigned cases and determine the best course of action based upon the solvability factors, urgency, threat to the public, and severity of the crime.
- b. Contact the complainant and/or victim in every case to inform them when lost or stolen property has been recovered and when, where, and how it can be retrieved.
- c. Contact the complainant and/or victim in every case to inform them when a suspended case is reopened or closed by the arrest of a suspect.
- d. Maintain case documents so that they are accessible and can be presented for court or review.
- e. Document additional details of an incident and progress of an investigation in a case supplement. Case supplements will be accurate, clear, concise and contain complete information of the investigation, including victim/witness contacts, leads developed, suspects identified, resources utilized, property recovered and returned, and all actions taken in the investigation of the case.

- f. An investigation may be suspended when the assigned investigator and/or unit supervisor agree no additional information or leads are likely for a successful conclusion of the case.
 - g. Investigators are responsible for documenting NCIC/VCIN entries and clearances associated with their case reports and/or supplements.
 - h. The investigator assigned a case for follow-up investigation will be responsible for assuring evidence requiring analysis is transported to and from the crime laboratory and lab returns are filed with the courts in accordance with department procedure. The chain of custody should be kept as short as possible to reduce the number of officers required in court. Officers desiring to have their evidence transported to and from the lab by the Evidence & Inventory Management Unit must submit a completed "Request for Laboratory Examination" form to the Evidence & Inventory Management Unit.
 - i. Warrants or summonses secured as a result of a CID follow-up investigation, but which cannot be immediately served, will be entered into VCIN/NCIC within 3 hours, and filed with the Warrant Unit.
 - j. Safety should be a high priority when transporting suspects on extradition trips. An additional detective or patrol officer should be utilized when the Warrant Unit is unavailable
5. Polygraph Examinations – A polygraph may be performed when a case investigator and a polygraph examiner believe a polygraph examination would be beneficial to a specific case. A polygraph examination shall be used in conjunction with and not as a substitute for a thorough investigation.
- a. Testing will be conducted under conditions which are generally accepted in the field of polygraph.
 - b. The polygraph examiner must be appointed by the Chief of Police or designee, complete certified training courses that have been approved by the Commonwealth of Virginia's Department of Professional and Occupational Regulation and maintain a current license to practice in the Commonwealth of Virginia.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 23, 2021	Amends/Supersedes: May 26, 2021	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s):			

539.01 Foot Pursuits

I. Policy

Officers may engage in foot pursuits when necessary to apprehend persons who are suspected to have committed, are committing, or are about to commit a crime. Officers and supervisors shall evaluate the circumstances and apparent risks associated with each foot pursuit and not begin or continue a pursuit if the danger posed by the pursuit is unreasonable or outweighs the value of an immediate apprehension.

II. Definitions

- A. Foot Pursuit – When one or more officers, on foot, chases a person who is actively avoiding police contact and there is reasonable articulable suspicion to detain or probable cause to arrest the person.

III. Procedure

A. Criteria for Initiating a Foot Pursuit

1. A foot pursuit is authorized when:
 - a. There is reasonable articulable suspicion to believe a person has committed, is committing, or is about to commit a crime. Officers may not engage in a foot pursuit based solely on an individual's response to the presence of police, including an individual's attempt to avoid contact with an officer (e.g. walking/ running away, declining to talk, or crossing the street to avoid contact). Individuals may choose to avoid contact with an officer for many reasons other than involvement in criminal activity, or
 - b. An individual is in danger of harming themselves or others as a result of their actions.
2. Officers must evaluate the severity of the crime (misdemeanor or felony) as well as the risk involved to themselves, other officers, the subject, and the community to balance the risk associated with foot pursuits with the value of immediately apprehending the subject.

B. Officer Responsibilities

1. When officers engage in a foot pursuit, the following actions must take place as soon as practicable:

- a. Immediately activate Body-Worn Camera (BWC).
- b. Declare a foot pursuit and provide location and direction of travel to the Emergency Communications Center (ECC).
- c. Provide a description of the subject being pursued and reason for the pursuit.
- d. Advise if the subject is armed.
- e. Continually evaluate the risk to the public, subject being pursued, and officers versus the value of an immediate apprehension.
- f. Advise ECC if sight of the subject has been lost and provide their last known location.
- g. When practicable, advise responding officers where to establish a perimeter.
- h. Advise when the subject has been detained or the pursuit has been terminated.

C. Alternative Tactics and Risk Factors

1. In deciding whether to initiate a foot pursuit, officers should consider the following alternatives prior to initiating a foot pursuit:
 - a. Setting up a perimeter.
 - b. Saturating an area with officers.
 - c. Canine search.
 - d. Plain clothes surveillance by TAC/Gangs/OCS.
 - e. Helicopter support – with Watch Commander approval.
 - f. Apprehension at another time and place if the subject is known or can be easily identified.
2. Risk Factors which must be considered when initiating a foot pursuit:
 - a. Physical fitness level of the officer.
 - b. Number of officers present.
 - c. Familiarity with the area and the community.
 - d. Timeliness of backup.
 - e. Time of day and/or lighting conditions.
 - f. Weather conditions.
 - g. Geographic or physical hazards which could endanger officers.
 - h. Potential for an ambush by the suspect(s) such as entering into a building or confined space.
 - i. Location and status of nearby schools.
 - j. Radio coverage and reception.

k. Ability to maintain visual contact and verbal communication with other officers.

l. Danger to civilians.

D. Terminating a Foot Pursuit


1. An officer shall terminate a foot pursuit if they knowingly lose possession of their firearm or lose the ability to communicate with ECC.
2. An officer shall terminate their foot pursuit if they determine the risk of continuing the foot pursuit outweighs the need for apprehension.
3. An officer may terminate their foot pursuit for any reason or at any time.
4. Supervisors may terminate a foot pursuit for any reason or at any time.

E. Supervisor Responsibilities

1. Notify ECC they are in command of the foot pursuit.
2. Confirm there is reasonable articulable suspicion for the pursuit to continue.
3. Respond to the scene and coordinate resources.
4. Continually evaluate the risk to the public, subject being pursued, and officers versus the value of an immediate apprehension.
5. Verify the status of all subjects, bystanders, and officers involved.
6. Ensure all appropriate evidence processing, documentation, and arrest activities are performed.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 24, 2021	Amends/Supersedes: June 23, 2021 August 14, 2019 September 28, 2018 July 15, 2015 April 15, 2014 January 9, 2013	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.06.01, ADM.06.02, ADM.19.01			

538.01 Firearms

I. Policy

Officers shall only carry those firearms which they are authorized to carry and are properly trained to use. They shall receive periodic firearms refresher training in order to maintain a high level of demonstrated firearms proficiency. Issued and/or approved firearms will be stored, serviced, carried, and used in a safe, responsible manner. Uniformed ACPD officers are permitted to possess their firearms in the courtrooms located at the Arlington County Justice Center.

- II. **Purpose** - This directive establishes the department's primary regulations relating to the issuance, training, possession, care, maintenance, and storage of authorized firearms and firearms-related equipment. In addition, the directive provides procedural guidelines for the deployment and use of Less Lethal Munitions. This directive is not intended to address issues related to the use of deadly force. For requirements and guidelines pertaining to the deliberate use and/or display of firearms during operational situations, refer to Manual directive [538.04 Use of Force](#).

III. Procedure

A. Department Authorized Firearms

1. Primary On-duty Handguns

- a. Glock 19 – The Glock 19 is the standard department issued handgun for all sworn officers and shall be carried by all sworn officers working in uniform while working on-duty or during off-duty secondary employment. The Glock 19 shall be loaded exclusively with department issued ammunition that has not been altered or modified in any way. The Glock 19 will be carried on-duty and off-duty with a Glock 15-round factory magazine in the magazine well. Glock 17 magazines used in conjunction with the Glock 19 will be utilized for reloading purposes only; these magazines are compatible with all other department issued Glock 9mm pistols. When carried off-duty, the Glock 19 shall be carried in an approved holster, secure purse, waist pack, briefcase, or backpack.

- b. Glock 26 – Uniformed headquarters staff and officers dressed in civilian attire (both on-duty and off-duty) may carry a department issued or privately-owned Glock 26 instead of the Glock 19. The Glock 26 will be carried on-duty and off-duty with Glock 10-round factory magazines only. The same criteria for carrying the Glock 19 also applies to the Glock 26.
 - c. Glock 17 – All sworn officers may carry a privately-owned Glock 17 as an alternative to the Glock 19 both on and off-duty. This model may also be issued to officers as their primary on-duty handgun based on specific guidelines established by Armory personnel. The Glock 17 will be carried on-duty and off-duty with Glock 17-round factory magazines only.
 - d. Glock 17/19 MOS - Any sworn officer that will be mounting their personally owned red dot sight will be issued a G17MOS or G19MOS handgun. This handgun is factory cut to mount various types of optics. This handgun will be equipped with taller iron sights to be used with a red dot sight.
2. Personally Owned On-Duty Handguns - must meet the following criteria:
- a. The handgun has been inspected and approved by the department's Armory personnel.
 - b. The Armory personnel have determined that the handgun's night sights and trigger-pull weight meet the same specifications as those of the department issued Glock Gen5 Model 19/19MOS/17/17MOS..
 - c. The handgun's descriptive data, to include manufacturer, model, caliber, and serial number, is documented in the Armory's files.
 - d. The officer has qualified with the handgun on a department approved course of fire.
 - e. The handgun is loaded with department issued ammunition, that has not been altered in any way.
 - f. The handgun is carried in a holster that has been approved by the department's Armory personnel.

The Chief of Police, or designee retains ultimate authority to rescind permission to use privately owned firearms both on-duty or during off-duty secondary employment.

3. Personally Owned Pistol-Mounted Red Dot Sight (RDS)
- a. Any sworn officer who wishes to purchase and carry their own pistol-mounted red dot sight must meet the following criteria:
 - b. The only authorized pistol-mounted red dot sights currently are:
 - 1) Holosun 509T
 - 2) Aimpoint ACRO

- c. The RDS will be mounted by ACPD Armory Staff prior to the Transition Class and will be maintained and inspected on all firearm dates. The RDS can also be inspected by ACPD Armory Staff as needed.
 - d. The RDS must be attached to an issued or personally owned Gen5 G17MOS or G19MOS pistol.
 - e. The RDS must be attached to the pistol with a C&H Precision mounting plate only. No other mounting plate is authorized.
 - f. The issued MOS pistol must be equipped with backup iron sights which will be provided by the department.
 - g. The pistol with RDS must be carried in an issued Safariland RDS holster when on duty except for specialized/plain clothes officers. Plain clothes officers must have their holsters approved by the Armory before use.
 - h. The officer must attend a 16-hour RDS-transition course which will be offered at least twice a year. Once the officer has attended the course and passed a qualification with their RDS-equipped handgun, they will be allowed to carry the handgun on duty. The officer will only be required to take one initial transition course prior to carrying their RDS-equipped handgun on duty.
 - i. All officers carrying a personally owned RDS-equipped handgun must successfully pass a department qualification twice a year.
 - j. All costs for the optic to include the optic itself, mounting plate, batteries, maintenance, and repair will be the responsibility of the officer.
 - k. The department assumes no liability for repairs or replacement if a privately-owned optic is damaged or lost when used, at the officer's request, for duty.
4. Personally Owned Back-up On-duty Handguns - Officers of any assignment are permitted to carry a personally owned back-up handgun while on duty, provided the handgun is a:
- a. Double-action (DAO) semi-automatic pistol, or
 - b. Double-action to single-action (DA/SA) semi-automatic pistol, or
 - c. Single-action (S/A) semi-automatic pistol or revolver, and
 - d. Ammunition size shall not be less than .380 caliber nor greater than .45 caliber.
 - e. The handgun has been inspected and approved by the department's Armory personnel.
 - f. The handgun's descriptive data, to include manufacturer, model, caliber, and serial number, is documented in the Armory's files.
 - g. The officer has qualified with the handgun on a department approved course of fire.

- h. The handgun is loaded with "factory new" ammunition that has been approved by the department's Armory personnel.
- i. The handgun is worn concealed from view and in a holster that has been approved by the department's Armory personnel.

The Chief of Police, or designee retains ultimate authority to rescind permission to use personally owned firearms both on-duty or during off-duty secondary employment.

- 5. Undercover Handguns - Officers working in undercover or highly specialized assignments, while dressed in civilian attire may substitute a personally owned handgun for the Glock 17, Glock 19, or Glock 26. When electing this option, all of the provisions of sub-section III.A.2 must be satisfied, except that tactical considerations may preclude carrying the firearm in an approved holster.
- 6. Off-Duty Handguns
 - a. Carry Inside of Arlington County - Officers who decide to exercise this option shall wear or carry only department issued or privately-owned handguns meeting the requirements listed under III.A.2. above.
 - b. Carry Outside of Arlington County - Officers are authorized to be armed in any jurisdiction where the carrying of a firearm by a Virginia law enforcement officer is legal and shall be in compliance with all Federal, State, and local laws related to the regulation of firearms.
- 7. Shotguns - Officers are permitted, at their discretion, to carry a department owned shotgun. Such weapons may be issued to individual officers on a long-term basis or may be drawn from a gun safe located in the Operations Division, on an as-needed basis. Officers who are assigned to carry shotguns shall have the weapon readily available, whenever they are on-duty inside Arlington County.
 - a. For additional regulations pertaining to the use of shotguns in connection with Less Lethal Munitions, see sub-section III.D. of this directive.
 - b. For additional regulations pertaining to the use of shotguns in connection with ballistic breaching, see sub-section III.E. of this directive.
- 8. Patrol Rifles - The Operations Division "Patrol Rifle Program" allows specially trained officers to be issued .223 caliber M4-style rifles for deployment as circumstances dictate. Patrol rifles shall be personally assigned to the aforementioned officers. Officers shall not equip their assigned patrol rifle with aftermarket parts without prior approval from Armory personnel.
 - a. Eligibility - The Deputy Chief of Operations, or a designee, may select certain officers within the Operations Division to carry patrol rifles while on routine patrol. To assist the Deputy Chief in making these selections, the department's Armory personnel shall periodically

recommend appropriate candidates. To be eligible to carry and deploy a patrol rifle, an officer must:

- 1) Have successfully completed the field training officer program (FTO).
- 2) Have successfully completed a departmentally approved patrol rifle training course.
- 3) Be assigned to the Operations Division.
- 4) Favorable recommendation from their chain of command, including the recommendation of their Patrol Commander.
- 5) Have received favorable recommendation by Tactical Training Unit supervisor.
- 6) Maintain a minimum qualification rating of 80% with both the department issued handgun and shotgun.

Patrol rifles may be deployed to assignments outside uniform patrol with approval by the Human Resources Management Section (HRMS) Commander. Requests will be reviewed on a case-by-case basis, taking into consideration the needs of the unit.

- b. Deployment - Officers who are assigned to carry department issued or privately-owned patrol rifles, shall have the weapon readily available, whenever they are on-duty inside Arlington County. In accordance with Manual directive [538.04 Use of Force](#), an officer may deploy a patrol rifle under any condition in which the deployment of a department firearm is authorized. However, officers shall not routinely deploy rifles in situations where the need for long-range or high-velocity weaponry is not anticipated.
- c. Personally Owned Patrol Rifles – Officers selected to participate in the Patrol Rifle Program who have trained as a patrol rifle operator and retain an active rifle qualification, but are subsequently reassigned outside the Operations Division may carry a personally owned rifle for deployment during the performance of police duties under the following provisions:
 - 1) Prior written permission has been obtained from the Chief of Police to carry the rifle.
 - 2) The rifle has been previously inspected and approved by the department's Armory personnel.
 - 3) The rifle shall meet the specifications set by the Armory at all times and no modifications shall be made without prior approval by Armory personnel.
 - 4) The rifle's descriptive data, to include manufacturer, model, caliber and serial numbers, is documented in the Armory's files.
 - 5) The officer has qualified with the rifle on a department approved course of fire.
 - 6) The rifle is loaded with department issued ammunition that has not been altered in any way.

- 7) The officer maintains a minimum qualification rating of 80% with both the department issued handgun and shotgun.
- 8) If the officer does not have an assigned vehicle with an electronic locking mount, the officer shall store the rifle in a personally owned hard case inspected and approved by Armory personnel.

The discharge of any approved privately-owned firearm, outside of training, shall adhere to the provisions set forth in Manual directive 538.04 *Use of Force*.

9. Civilian Employees and Ride-along Participants - Civilian employees of the department, as well as auxiliary officers, volunteers, interns, and civilian ride-along participants, shall not possess a firearm while on duty, in a police department building, in a department vehicle, or while otherwise engaged in police functions. This prohibition applies regardless of whether a Virginia concealed gun permit has been obtained. Personnel from other law enforcement agencies may participate in a ride-along while armed, upon approval of a Patrol Commander or Watch Commander.

B. Storage of Shotguns and Patrol Rifles

1. Unless actively deployed, shotguns and patrol rifles shall be secured in the electronic locking mount of the officer's vehicle or locked in the vehicle trunk in a secure case approved by Armory personnel, if the vehicle is not equipped with an electronic locking mount. When stored in either of these ways, shotguns and rifles shall be in a car-safe condition, which is defined as:
 - a. A fully loaded magazine inserted in the rifle or a fully loaded magazine tube of the shotgun.
 - b. No round in the chamber.
 - c. The safety engaged.
 - d. The action closed.
2. Whenever the shotgun or rifle is removed from the vehicle for other than an actual tactical deployment, it shall be rendered into a "station safe" condition, which is identical to the car-safe condition except that the magazine is removed from the weapon, and the action is open.
3. Shotguns and rifles shall be stored inside a secure area of the department. Rifles and shotguns shall be removed from any vehicle that is left at a repair or maintenance facility. Officers taking their shotgun or rifle home while off-duty shall store the weapon in a locked gun safe.
4. Shotguns and rifles shall not be loaded or unloaded inside a vehicle and shall not be loaded or unloaded inside any portion of a building other than a parking garage. These prohibitions do not apply, however, in urgent situations where tactical needs require immediate loading or unloading of the weapon.

- C. Firearm Security – Officers are responsible for the safety and security of their firearms and are expected to make reasonable accommodations to properly maintain and secure their firearms at all times.
- D. Less Lethal Munitions - The use of Less Lethal Munitions against armed or dangerous suspects and/or unlawful or dangerous situations offers an alternative to the use of deadly force. Less Lethal Munitions have the potential to disable a suspect and/or bring an unlawful or dangerous situation safely under control without inflicting serious or fatal injury. When a decision to employ Less Lethal Munitions is made, however, the following procedures apply:
 - 1. Less Lethal Munitions shall only be fired by officers trained and certified by the department.
 - 2. Only Less Lethal Munitions issued by the department will be used.
 - 3. Any officer or supervisor may request a Less Lethal Munitions operator.
 - 4. Supervisors shall be notified by the operator when the Less Lethal Munitions are loaded in the weapon, unless the notification would cause a delay in deployment that might endanger the safety of officers or civilians.
 - 5. Once the operator is deployed, the decision to fire Less Lethal Munitions will be at the discretion of the operator.
 - 6. It shall be the responsibility of the operator to visually and physically inspect the weapon and to ensure that only the appropriate Less Lethal Munitions are loaded in the weapon. Whenever practical, a second officer will inspect the weapon to assure the weapon is unloaded of live ammunition prior to the loading of the Less Lethal Munitions.
 - 7. All perimeter units within the immediate area shall be advised either by radio or direct verbal contact that the operator has been deployed and Less Lethal Munitions may be fired.
 - 8. Less Lethal Munitions should be used from behind cover or at a safe distance. A cover officer shall be in a position to engage the subject and/or unlawful or dangerous situation with deadly force, if necessary.
 - 9. Intentional impacts to the head or neck shall be avoided, unless deadly force is justified.
 - 10. Any person who has been impacted by a Less Lethal Munitions will be transported to a medical facility for examination as soon as possible.
 - 11. A police agent shall collect any Less Lethal Munitions that impact a subject. The Less Lethal Munitions shall be packaged and placed in the Property Management Unit, according to department procedures.
- E. Ballistic Breaching – The department “Ballistic Breaching Program” within the Operations Division allows trained officers to gain positive entry into a target using a breaching shotgun and approved ammunition.

1. Eligibility – To be eligible to carry and deploy a ballistic shotgun, officers must meet the criteria for the Patrol Rifle Program found in subsection III.A.7.a.
2. Equipment – Armory personnel shall personally assign each officer in the program a specially-fit Remington 870 shotgun. Officers shall not equip their breaching shotgun with aftermarket parts without prior approval by Armory personnel. Only 12-gauge ballistic breaching projectiles issued by the department will be used during the deployment of a breaching shotgun.
3. Deployment – Breaching shotguns shall be deployed in accordance with departmental training during exigent circumstances in which there is reasonable belief that there is imminent threat to life or the likelihood of serious bodily injury. Ballistic breaching should be considered as a last resort after other breaching methods have been explored. Factors to consider when deploying a breaching shotgun include:
 - a. Severity and imminency of the threat.
 - b. Construction and composition of the doorway to be breached.
 - c. Ability to use mechanical breaching options in a timely manner.

Any officer or supervisor may request a ballistic breaching operator. Once the breaching shotgun is deployed, the decision to deploy ballistic breaching projectiles will be at the discretion of the operator. It shall be the responsibility of the operator to visually and physically inspect the shotgun and munitions to ensure that only the appropriate projectiles are loaded into the shotgun. Whenever practical, a second officer will inspect the shotgun to assure the weapon is unloaded of shotgun ammunition prior to the loading of the ballistic breaching projectiles. For additional information regarding the use of ballistic breaching by SWAT personnel deployed for a SWAT mission, officers should refer to the [Special Weapons and Tactics SOP](#).

4. Storage – Breaching shotguns shall be stored according to the procedures for storing shotguns and patrol rifles in sub-section III.B.
- F. Other Types of Firearms - Other types of firearms are restricted to use by designated ERT personnel. These specialty weapons include sniper rifles, less-lethal launchers, and similar weapons. Issuance and/or deployment of these specialty weapons shall occur under the authority of the ERT Commander and shall comply with the provisions of the *Special Weapons and Tactics SOP*.
- G. Emergency Response Weapons Locker - The emergency response weapons locker houses weapons for immediate deployment in case of deadly threat situations at the department. The weapons assigned to this locker shall be kept at the department in a car-safe condition, unless deployed to address an active deadly threat situation. The Tactical Training Unit shall clean and maintain all weapons assigned to the emergency response weapons locker. The unit will ensure that an inventory of these items is kept and that they are inspected in accordance with the provision of sub-section III.H.

H. Issuance, Maintenance, Return, and Disposal of Firearms

1. Issuance - The department's Armory personnel maintain a supply of firearms from which handguns are issued to recruit officers, rifles and specialty weapons are issued to veteran officers, and lost or unserviceable firearms are replaced. Any officer needing replacement of an issued firearm should contact Armory personnel during normal business hours.

The Armory personnel, and the Tactical Training Unit supervisor are responsible for maintaining a record of all firearms issued. In the case of patrol rifles, the Armory personnel shall forward a copy or report of these records to the Patrol Commanders. Every effort shall be made to assign and maintain patrol rifles within the Operations Division; however, non-Operations Division personnel may submit a memorandum requesting a patrol rifle, through their chain of command, to the HRMS Commander for evaluation on a case-by-case basis.

A supply of replacement firearms is also stored in the Operations Division for use by supervisors who may need to temporarily replace a firearm during hours when Armory personnel are unavailable. In such an instance the supervisor may, without the prior approval of the Armory personnel, temporarily issue a replacement handgun to any officer. When such issuance occurs, the supervisor shall immediately note their actions in the logbook maintained in the firearms storage area for that purpose. Non-supervisory personnel are prohibited from independently obtaining a replacement firearm without supervisory involvement.

Upon the resumption of normal business hours, the issuing supervisor shall notify Armory personnel of the temporary issue, in writing, in person, or by telephone. The Armory personnel may then permit the continued use of the replacement weapon, or require that other arrangements be made, at their discretion.

2. Firearms Maintenance - Officers shall properly clean and lubricate all firearms issued to them by the department, as well as any privately-owned firearms which they are authorized to carry, in accordance with their training and/or the manufacturer's instructions.

Officers shall be alert for indications of poor performance or mechanical defects in these firearms. When problems are noted, the officer shall immediately notify the Armory personnel or, if unavailable, a supervisor. Officers shall not continue to carry any firearm that they have cause to believe may be defective.

Officers shall not attempt to repair department issued firearms or adjust the sights of such firearms. All such repairs and adjustments shall be made or arranged by the department's Armory personnel. Similarly, an officer shall not attempt to repair or adjust the sights of privately-owned firearms that he/she has been authorized by the department to carry, unless the officer is a qualified armorer.

When a department approved, privately-owned firearm has been repaired or serviced by a person other than the department's Armory personnel, that firearm may not then be routinely carried until it has been re-inspected by the department's Armory personnel.

The Tactical Training Unit shall maintain all patrol rifles, shotguns, replacement handguns, and other firearms-related equipment. The unit shall ensure that a current inventory of these items is kept, and that they are inspected in accordance with the provisions of sub-section III.H.5. of this directive.

3. Return of Department Issued Firearms – Department issued firearms shall be returned, by the assigned officer, to Armory personnel.
4. Firearms Disposal - Firearms that are unserviceable or otherwise unsuitable for the department's use shall, upon written permission from the Deputy Chief of the Systems Management Division, be disposed of in accordance with the [Arlington County Purchasing Manual](#).
5. Firearms Inspections
 - a. Supervisory Line Inspections - Supervisors shall inspect the on-duty handguns of their subordinates at least once each month. A memorandum documenting the results of each shifts inspections shall be forwarded through the supervisor's chain of command and if any deficiencies are noted, the memorandum shall also be forwarded to the Tactical Training Unit.

When practicable, each inspection shall be conducted at the unloading station which is located outside of the Armory next to the cleaning bench and is capable of withstanding the impact of handguns, shotguns, and rifles. When this is not practical, firearms inspections shall occur at a safe location where potential for ricochet is low.
 - b. Inspections of Section/Unit Firearms - If replacement and/or specialized firearms have been issued to a section or unit, the commander of that section/unit, shall ensure that the firearms are inspected monthly. A memorandum documenting any deficiencies shall be forwarded to the Tactical Training Unit.
 - c. Inspections by the Armory - The department's Armory personnel shall conduct an inspection of each department owned handgun, shotgun, and patrol rifle as well as approved privately-owned firearms and rifles, at least once per year.

In addition to these scheduled annual inspections, Armory personnel shall examine other department issued firearms, upon request. Additional provisions pertaining to inspections by Armory personnel may be found in the [Tactical Training Unit Standard Operating Procedure \(SOP\)](#).

- I. Firearms Qualification - Department weapons are issued for law enforcement purposes only and their use outside of skill building and official duties is prohibited. A discharge of any department issued or approved firearm, other than during training, shall be reported to the officer's chain of command. Officer are prohibited from using a department vehicle to transport any personally owned firearms that have not been approved by Armory personnel.

1. Recruit Training

- a. All recruit officers are required to pass a state approved firearms qualification course during their initial recruit training. Following qualification, and at a time determined by Armory personnel and academy staff, the recruit shall be issued a firearm in accordance with the *Tactical Training Unit SOP*.
- b. Firearms and training barrels will be distributed to recruits during the training process. The factory issued barrel of the gun will be maintained at the armory until the recruit has qualified with the weapon.

2. Biannual Requalification

- a. General Requirements - Unless directed by the Chief of Police or designee:
 - 1) Officers are required to re-qualify at least twice each year with any and all handguns carried on-duty, including primary and back-up weapons.
 - 2) Officers shall re-qualify at least twice each year with any specialty firearm, such as issued shotguns and patrol rifles.
 - 3) Officers shall re-qualify at least once each year with all privately-owned firearms carried off-duty.

The department shall provide qualification ammunition for all department issued firearms and all privately-owned firearms whose caliber matches the department issued firearm. All other personally owned firearms shall be loaded during qualification with "factory new" ammunition approved by the department's Armory personnel.

Officers on light duty during a re-qualification period, shall make arrangements with the Tactical Training Unit, to re-qualify once they return to full duty. Officers on light duty shall adhere to all firearms requirements contained in Manual directive [511.09 Light Duty](#).

In accordance with DCJS standards, the Chief of Police has designated the Armory to serve as their representative with regards to drafting *Patrol Rifle* and *Ballistic Breaching* training lesson plans. All lesson plans shall be approved by the Office of Professional Responsibility.

Where the other types of firearms (sniper rifles, less-lethal launchers, etc.) are concerned, the ERT Commander shall maintain the list of qualified users, and shall inform the Deputy Chief of the Operations Division, whenever changes to that list occur.

3. In-Service Qualification Day

- a. General Requirements – Once an officer fails to qualify with the handgun, the officer will receive two additional attempts to qualify. Should the officer fail to qualify after their third attempt, the shooter will be given a *Failure Notification* memorandum documenting that they have been immediately placed on administrative duty until they are able to qualify. If the officer is driving a department vehicle, they are to respond directly home and take no law enforcement action nor serve in any off-duty capacity. The officer is further directed to respond to the range in their privately-owned vehicle on the next available range date for further remediation and qualification opportunities. A memorandum denoting the initial failure and ultimate passing will be generated from the Tactical Training Unit, to the HRMS Commander. A copy will be forwarded to the officer's unit supervisor for information and action.
- b. Failure to Re-qualify with Specialty Firearm - Officers who fail an attempt to re-qualify with a shotgun, rifle, or specialty firearm shall also be rescheduled for remedial training and re-testing. Unlike the department issued handgun, this retraining need not necessarily occur on the next available range date.

Also, officers who fail to qualify with a shotgun, rifle, or other specialty firearm, need not be placed into an administrative status precluding normal operational deployment. However, the officer shall not thereafter carry the weapon in question until he/she has been retrained and successfully qualifies with that weapon.

Officers who fail to re-qualify with a privately-owned back-up firearm or an off-duty firearm shall cease carrying that firearm until a subsequent retest and successful qualification occur. In such instances, the departmentally issued Glock 19 may be worn or carried in place of the privately-owned off-duty firearm.

4. Subsequent Training

- a. Remediation and Practice - The officer will be assigned to a firearms instructor, present at the range to specifically provide the necessary one-on-one training and practice. Time permitting; a minimum of two TQC's can be completed, if needed, with training and practice time in between.
 - 1) An officer unable to qualify by the end of the second day shall be relieved of their department issued weapon by Armory personnel. A Failure Notification memorandum will again be provided to the shooter. The officer will return on the next available range date until the shooter qualifies.
 - 2) Upon returning to full duty, a *Firearms Proficiency Improvement Plan* (FPIP) will be initiated to facilitate growth in shooting skills and to maintain performance at acceptable standards. The Armory and Tactical Training Unit will work with an officer's

supervisor to schedule additional training and practice time. Subsequent and recurring in-service failures are subject to re-evaluation of continued employment.

J. Range Facilities, Staff, and Records

1. Range Facilities - The department uses local area firearm ranges as qualification sites. Officers attending training at any of these ranges shall familiarize themselves with the range's safety rules and other regulations and shall abide by them.

2. Staff -The department's Armory personnel are responsible for coordinating the training and requalification of all officers with regard to handguns, shotguns, and patrol rifles. All firearms instructors shall be certified by the Virginia Department of Criminal Justice Services. Training and requalification regarding other types of firearms shall be coordinated under the general direction of the ERT Commander, in accordance with the [Special Weapons and Tactics SOP](#) and related training directives.

3. Records of initial firearms qualifications, subsequent re-qualifications, and firearms-related academic training shall also be maintained.

K. Carrying Firearms Aboard Commercial Aircraft - Federal law, Federal Aviation Administration regulations, and the policies of individual airlines, place various restrictions upon officers who carry firearms aboard a commercial aircraft. These requirements are subject to periodic revision and thus are not listed individually in this directive.

1. Unless otherwise authorized by Transportation Security Administration (TSA), to fly armed, a LEO must:


- a. Be a federal law enforcement officer or a full-time municipal, county, or state law enforcement officer, who is a direct employee of a government agency;
- b. Be sworn and commissioned to enforce criminal statutes or immigration statutes;
- c. Be authorized by the employing agency to have the weapon in connection with assigned duties;
- d. Have completed the TSA training program, ["Law Enforcement Officers Flying Armed."](#)

2. Additionally, officers with a need to carry a firearm aboard a flight shall:

- a. Contact CID to arrange for departmental training and/or obtain written guidelines for armed air travel;
- b. Inquire with the air carrier at the earliest practical opportunity to identify all current firearms-related laws, regulations, and policies applicable to their flight;
- c. Transmit, messages required by the TSA Transportation Security Operations Center (TSOC), related to flying armed, via the National Law Enforcement Telecommunications System (NLETS).



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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Accreditation Standard(s): ADM.07.04, ADM.09.01			

400.00 RULES & REGULATIONS

- 401.00 Administrative Rules & Regulations** - All employees shall be thoroughly familiar with these rules and regulations and abide by them. Violating any rule or regulation may result in disciplinary action. Lack of knowledge shall not constitute a defense to any disciplinary action.
- 401.01 County Administrative Regulations & Policies** – Unless otherwise indicated, department employees are subject to [Arlington County Administrative Regulations & Policies](#) affecting all County employees. These administrative regulations & policies can be accessed via Arlington County's SharePoint.
- 401.02 Department Address and Stationery** – The department's mailing address and letterhead stationery are for official business only. Using the department's address or letterhead stationery for personal correspondence is prohibited.
- 401.03 Personal Information** – Employees shall inform the department of any changes to their personal information, including change of name, address, or telephone number, no later than the first working day following the change. Upon hire, employees operating County vehicles are required to add their motor vehicle operator license information in PRISM and update the system with any changes.
- 401.04 Reporting Violations** – Any employee who has knowledge of another employee violating any law, ordinance, rule or regulation of the department, or who disobeys orders, shall bring the matter to the attention of the employee's immediate supervisor. The supervisor shall determine if further action is to be taken in the matter. Should the employee feel that the matter is of sufficient gravity or involves supervisory personnel, the employee may bypass the official chain of command and directly advise the appropriate Division Commander, the Office of Professional Responsibility, or the Chief of Police.
- 401.05 Duty to Intervene** – Sworn officers have a duty to intervene and restore appropriate order during any police action where the amount of force being used is beyond what is objectively reasonable. Officers shall render aid, as circumstances objectively permit, to any person injured as the result of such use of force. Officers shall immediately report any intervention to a police

supervisor who shall notify the Office of Professional Responsibility as soon as practical. No member of the department shall retaliate, threaten to retaliate, take, or threaten to take any disciplinary action against an officer who intervened to stop the use, attempted use, or prevents the further use of excessive force.

402.00 Appearance – Employees shall be clean and well-groomed while on duty. Undercover and/or plain clothes officers may be exempted from this policy if approved by the Chief of Police, or designee.

402.01 Body Art – Employees are prohibited from displaying body art on the head, face, mouth, eyes, scalp, neck, hands or fingers. “Body Art” includes, facial piercings (such as tongue, lip or eyebrow piercings); tattoos; branding; cosmetic mutilation (such as horns, scarring, ear displays); body and dental ornamentation; and, theatrical contact lenses. Tattoos on the ring finger (simulating a ring) and eyeliner or brow enhancements that are natural in appearance are not covered by this restriction.

Body art on other areas visible when in uniform must be covered if the body art displays images or words that undermine the trust of the community in the department or detract from its professionalism. Body art will be assessed on a case by case basis but generally must be covered if it displays gang signs, profane words, violent images, sexually explicit images, or images which violate the County’s EEO policies. Other words or images depicted in body art that must be covered are images or words which include:

- Depictions customarily associated with organizations or groups that advocate or harbor intolerance or discrimination.
- Advocates, depicts or symbolizes affiliation with gangs, racial supremacy, extremist groups or philosophies, or drug use.
- Advocates violence or other unlawful means of depriving individual rights under the United States Constitution, the Virginia Constitution, federal or state law.

The Chief of Police, or designee, shall determine if body art must be covered by the appropriate uniform (long sleeve uniform shirt and/or long pants) or, for non-uniformed personnel, appropriate business attire that covers the body art. Employees seeking to display body art shall submit the [Body Art Approval form](#) and forward their request to the commander of the Systems Management Division. Employees seeking to display body art shall submit the Body Art Approval form and forward their request to the commander of the Systems Management Division. Accommodations for sincerely held religious or cultural beliefs may be requested by submitting a memorandum to the Chief of Police, or designee.

402.02 Hairstyle – A uniformed employee’s hair shall be well groomed, professional, clean and natural in appearance and color. Hair styles while on duty shall be properly trimmed or arranged so hair does not extend below the top of the uniform collar and does not interfere with wearing the uniform hat or does not otherwise present a safety or officer safety risk. When wearing the uniform hat, hair should not be visible under the visor.

402.03 Jewelry – Uniformed personnel may only wear the following items of jewelry while on duty; one wristwatch, one ring per hand or three rings on the ring finger, one necklace; provided it is not visible outside the uniform, medical alert bracelet, and female officers may wear one pair of small stud earrings worn in the earlobe.

This above policy will not apply to any undercover officer when acting in their official, assigned capacity, provided that approval for such need has been granted by the Chief of Police, or designee. Any such approval will only last for so long as the special duty.

402.04 Facial Hair – Other than a neatly trimmed beard, closely cropped moustache and sideburns, sworn employees shall be well groomed and clean-shaven.

- **Beards** – For sworn employees, full beards, ear to ear, are permitted. The beard will typically not exceed ¼” in length, be neatly trimmed and not present a bushy or unkempt appearance. Beards must have a natural appearance. Goatees as well as designs and colors are not permitted.
- **Moustache** – For sworn employees, mustaches shall be neatly trimmed and not extend below, nor extend more than one-half inch beyond the corners of the mouth.
- **Sideburns** – Sideburns shall extend no further than the bottom of the ear, be naturally even, and end with a horizontal line.
- **Fit Test** – Under no circumstances shall facial hair interfere with the employee’s ability to pass fit testing on standard equipment.
- **Exemptions:**
 - Undercover and/or plain clothes officers may be exempt if approved by the Chief of Police, or designee.
 - Civilian employees may wear a beard with approval of their division commander. If worn, the beard shall be neatly trimmed and not present a bushy or unkempt appearance.
 - Recruit Officer grooming standards are subject to the Northern Virginia Criminal Justice Training Academy written directives, or any other academy assigned to attend. Upon graduation, recruit officers will adhere to this regulation.

403.00 Assignment and Transfer – The Department's authorized personnel strength by job classification and assignment shall be established by the Chief of Police. The Chief of Police or Division Commander shall identify the maximum number of employees supervised by each supervisor. A Division Commander may establish a minimum staffing level for any section, or watch (shift) within the division. A Section Commander may establish a minimum staffing level for any unit within the section.

The frequency with which assignments within a division or one of its subordinate work groups are rotated (or internal transfers occur) shall be determined by the division’s or affected group’s commanding officer. The qualifying criteria for such actions shall also be established by the commanding officer.

Assignment or reassignment of personnel between divisions, at any time based on the needs of the Department, shall be at the discretion of the Chief of Police ([See Administrative Regulation 2.7](#)). Hours of work and days off shall be assigned at a commanding officer's discretion or based upon a published shift schedule. Days off may be fixed or rotational, but shall in all instances address the needs of the affected command and the agency.

Temporary assignments can be made at the discretion of the Chief of Police as well as at the discretion of a Deputy Chief. Temporary assignments may be made to fulfill the needs of the Department. As employees acquire additional skills, knowledge, and abilities, the agency benefits from an expanded pool of employees prepared to assume the responsibilities of a number of positions. The duration of temporary assignments will be based on the needs of the organization.

- 404.00 Chain of Command** – An employee shall operate within the chain of command unless otherwise exempted. An employee shall know the relative positions in the structure; to whom the employee is immediately responsible; and those persons who are accountable to the employee. The Chief of Police is available by appointment to any employee.
- 404.01 Forwarding Written Communication to a Higher Level** – An employee initiating a written communication for transmission to a higher level, shall forward such communication through the chain of command. An employee receiving a communication from another employee directed to a higher level shall endorse it acknowledging that it was received, indicating appropriate comments and forwarding it to the appropriate individual through the chain of command.
- 405.00 Confidentiality** – No employee shall divulge confidential information. The official business of the department shall be treated as confidential. Information contained in police records is accessible only to police personnel. Names of victims, complainants, witnesses, informants, and other persons known to the police are considered confidential and shall be released, only pursuant to department policy. No employee shall give confidential information to anyone except for whom it is intended or as directed by a supervisor or under due process of law.
- 405.01 Computerized Data Systems** – Access to any computerized data system containing confidential or sensitive information shall be for official law enforcement purposes only. Any employee using this data for anything other than law enforcement purposes may be subject to disciplinary action.
- 405.02 Confidentiality Order** – A direct order that prohibits an employee from discussing the facts of an administrative investigation or inquiry; including an individual's involvement or testimony in any investigation or inquiry. Such orders remain in effect until rescinded, in writing, by the Chief of Police or commander of the Office of Professional Responsibility. Failure to fully comply with such orders for the entire duration of the order is considered, at a minimum, insubordination.

Upon the conclusion of the investigation, the subject will be notified, in writing, by the Chief of Police or the Commander of the Office of Professional Responsibility when the confidentiality order has been rescinded. After the order has been rescinded subjects shall not deliberately seek out witnesses who may have provided information.

Witnesses seeking to be released from a confidentiality order must submit a memorandum to the Chief of Police requesting the order be rescinded for good cause. The Chief of Police or the Commander of the Office of Professional Responsibility will provide a written response within seven (7) business days after receiving their request.

- 405.03 Disclosure of a Citizen's Medical Information** – Employees of the Police Department shall not release or discuss medical information or medical history about any victim, witness, or suspect, except when such release/discussion is required to facilitate treatment of the affected individual or is shared with another law enforcement agency (or DHS) in furtherance of legitimate operational objectives. The unauthorized disclosure of a citizen's medical information or medical history could result in disciplinary action.

When discussing an incident with news media, attorneys, insurance carriers, witnesses, and/or the family or friends of involved persons, etc., officers may only confirm the mechanism of an individual's injury (e.g., gunshot wound, automobile accident, etc.), identify the general area of wounding (e.g., shot in the leg), and summarize the individual's condition (e.g., stable or critical condition, etc.). Public identification of any diseases that the individual may be suffering is explicitly prohibited.

- 405.04 Disclosure of an Employee's Medical Information** – Employees of the Police Department shall not release or discuss medical information or medical history about any other employee, except when such release/discussion is required to arrange the employee's treatment, facilitate appropriate supervision, or administratively process benefits, payments, or personnel actions.

Further guidance on the above restrictions can be found in the County Administrative Regulation titled [Health Insurance Portability and Accountability Act of 1996](#) and in the HRMS Standard Operating Procedure. Employees are instructed to contact a member of HRMS if they receive requests from any source for medical information about another employee. The unauthorized disclosure of an employee's medical information or medical history violates Federal law and could result in disciplinary action under the Health Insurance Portability and Accountability Act of 1996.

- 406.00 Constitutional Rights** – Employees shall enforce any federal law, where applicable, state law, or county ordinance that is valid on its face without fear of abrogating the constitutional rights of the accused. Employees shall make reasonable inquiries, conduct investigations, and arrest on probable cause within the scope of the employee's authority. Employees shall respect the constitutional rights of all individuals at all times.

406.01 Arrest – Employees shall observe the laws of arrest, search, and seizure when making an arrest. Particular attention shall be made in situations involving persons who may be entitled to some degree of immunity based on their congressional or diplomatic status. Employees shall be responsible for the safety and protection of a person in custody and that person's personal property. This responsibility shall continue until the person is released or delivered to the custody of the Sheriff's Office.

406.02 Compromising a Criminal Case and Plea Bargaining – No employee shall interfere with the proper administration of justice by making or negotiating any compromise or arrangement for any person to escape the penalty of the law. Court continuances shall not be requested for any hearing or trial other than in the interest of justice, or for justifiable personal reasons.

Negotiating or plea bargaining with a prisoner or suspect is the exclusive responsibility of the Office of the Commonwealth's Attorney. No employee shall intentionally divulge any information which might assist a person suspected or guilty of a criminal act in escaping arrest or punishment or which might compromise a criminal case in any manner. No employee shall engage in pretrial publicity that would prejudice a fair trial.

406.03 Documentation of Searches – Officers shall document all consent and probable cause searches to include searches conducted during a traffic stop or investigatory stop of a person, property, vehicle, or residence. When practical the officer conducting a consent search (see *531.06 Biased Based Policing*, IV.B. Consent Searches) should complete the *Permission For Search* form. Consent and probable cause searches where no evidentiary items are found will be documented on a Field Investigation (FI) and whenever evidentiary items are found, their discovery and any other resulting police action shall be documented in a Case Report. Documentation in either circumstance shall include the following information:

- Whether consent was obtained or refused.
- Whether verbal or written consent was obtained.
- Whether probable cause existed for the search.
- Whether or not the search was conducted.
- If a search was conducted, if anything of evidentiary value was found.

Supervisors shall review all Case Reports and FIs to ensure the appropriate use of police tactics.

407.00 Duty Responsibilities – An employee shall respond to the lawful order of a supervisor, as well as a request for assistance from a citizen, or when dispatched to a call. An employee shall take proper police action while on duty to protect life, property and individual liberty; prevent crime and disorder; detect and arrest violators of the law; and enforce federal, state, and county laws and ordinances within the department's jurisdiction.

An employee shall perform duties in a fair and professional manner as required or directed by law, policy, procedure, or rules and regulations. Delegation of specific enforcement responsibility to a particular unit within the department does not relieve another employee from taking appropriate action when necessary. An employee shall direct any inquiry as to duties to the immediate supervisor.

- 407.01 Accuracy of Information** – An employee shall not falsify any official report, whether written or verbal, or enter or cause to be entered any inaccurate, false, or improper information on the books or records of the department.
- 407.02 Assistance to Another Employee** – An employee shall aid, assist, or protect another employee in time of need to the fullest extent in accordance with department policies and procedures.
- 407.03 Availability on Duty** – An employee shall remain available to respond to a call for service as directed by a dispatcher or a supervisor.
- 407.04 Conducting Personal Business on Duty** – An employee may conduct personal business while on duty, provided it is inconspicuous so as not to create an unfavorable impression in the public view and provided, it is a brief transaction that does not interfere with normal job duties.
- 407.05 Dereliction of Duty** – No employee shall sleep on duty, intentionally neglect assigned duties, or fail to respond to a call when dispatched.
- 407.06 Drug Purchases** – No employee, unless specifically assigned to do so, shall buy or attempt to buy an illegal drug, nor shall an employee use a confidential informant to buy or attempt to buy an illegal drug, without first clearing the action with a supervisor in the Organized Crime Section. All purchases of any type or amount of illegal drugs shall be coordinated through the Organized Crime Section.
- 407.07 Efficiency and Cooperation** – An employee shall cooperate, direct and coordinate efforts in such a manner to establish and maintain the highest standard of efficiency in department functions.
- 407.08 Employees to Remain on Duty Until Relieved** – Employees shall remain at their assigned duty location until properly relieved. To ensure continuous patrol coverage, employees whose tour of duty is ending will not be released until a sufficient number of employees who are reporting for duty are available. During an emergency, an employee's tour of duty may be extended or started earlier than normal to provide adequate patrol coverage.
- 407.09 Hazardous Condition** – An employee shall report any hazardous condition to the appropriate County agency and take any immediate action necessary to ensure the safety of the community.
- 407.10 Identification as a Police Employee** – An employee shall display official identification before taking any police action, unless such identification is obvious, impractical, or not feasible. An employee shall provide their name and department identification (DID) number to any citizen upon request except while working in an undercover assignment.
- 407.11 Incident Scene** – The ranking officer present shall assume command at the scene of any crime, accident, or other police incident where procedure is not indicated by department policy. When two or more officers of equal rank are present, the officer whose primary assignment is most closely associated with the type of incident shall assume command.

Officers shall exercise every precaution to avoid contaminating or destroying evidence when investigating an incident. Officers are accountable for preserving the crime scene and prohibiting unauthorized persons to enter the area. Officers shall not stop at, or enter, a crime scene under investigation unless authorized by a supervisor to assist in the investigation.

A police agent assigned to a crime scene shall conduct a thorough crime scene search and process all physical evidence according to established procedures and best practices. Officers, other than police agents, may be issued equipment used in preliminary or basic crime scene processing.

407.12 Injury or Death – An immediate verbal notification shall be made to the Chief of Police or the Acting Chief of Police, upon the death or serious injury of any employee on or off duty. The on-duty Patrol Commander or Watch Commander is responsible for assuring that this notification is made, as well as notifying the employee's family or friend as indicated on the employee's next-of-kin notification record.

The Patrol Commander or Watch Commander shall also cause a written report containing all relevant information to be forwarded to the Chief of Police within one working day if the death or serious injury occurred while the employee was on duty. An employee's patrol or section commander shall ensure that all required forms are submitted as soon as possible for any non-serious injury to an employee while on duty.

407.13 Internal Investigation – The Chief of Police may initiate a formal investigation of any department employee, with just cause. An employee shall comply with a legal request pertaining to a department investigation. An employee shall not make any false or misleading statements in response to a department investigation. (Also, see *551.02 Complaint Processing & Investigations*)

407.14 Interview Room Security – An employee who places an individual, who is in the employee's custody or under the employee's control, in an interview or processing room shall be responsible for monitoring the safety and security of that individual on a continuous basis.

407.15 Meal on Duty – An employee may take a meal break in accordance with division policy and subject to supervisory direction. An employee shall be subject to immediate return to duty. An employee on patrol shall request permission from the dispatcher and will advise the dispatcher of their location.

407.16 Oath of Office – A sworn officer is required to take an oath of office before assuming any duties of a police officer. An auxiliary officer is required to take an oath of office before assuming any duties of an auxiliary officer.

407.17 Paperwork – An employee shall submit, at the end of the employee's tour of duty, any report or paperwork required by department or section policy, unless authorized by a supervisor to submit the paperwork at a later time.

407.18 Personal Privacy – Employees may expect a reasonable amount of privacy regarding personally owned items such as a briefcase, purse, or vehicle. Items issued to employees, or made available for the employees' use, remain the property of the County or department and are subject to inspection at any time. This includes a vehicle, desk, cabinet, locker, briefcase, and any other item.

- 407.19 Police Involvement While Off-Duty** – The decision to get involved in a police matter while off-duty shall be at the employee's discretion. Factors to be considered are the nature of the incident, potential harm to individuals, and the availability of on-duty units. If not actively involved, the employee should observe the incident, summon assistance, and aid responding units as requested.
- 407.20 Reporting for Duty** – Employees shall report for duty at the time, date, and location established by the appropriate Division or Section Commander. Employees shall report being late or absent from duty pursuant to Section policy.
- 407.21 Response to a Call** – An employee shall respond immediately to a call for service unless otherwise directed by the dispatcher or a supervisor. Failure to respond shall be considered misconduct.
- 407.22 Roll Call** – An employee shall report for duty, roll call, or shift briefings, at the specified time and location, in appropriate clothing, and with all the necessary equipment and supplies needed to begin work. Roll call and shift briefings shall be used to make duty or vehicle assignments, distribute crime-related information and trends, discuss section objectives, or provide training.
- 407.23 Telephone** – Employees shall answer the telephone by giving their name or office. Employees shall be polite and refrain from using abrasive language on the telephone. Employees shall be familiar with the functions of the telephone, such as transferring calls, placing calls on hold, or voice mail. Employees may use the telephone for personal conversations provided they are limited to a minimal time and it does not interfere with normal duties.
- Employees shall restrict the personal use of a telephone to a telephone out of public view and not reserved specifically for routine or emergency department business. Employees are responsible for any long-distance calls made on the telephone assigned to them. Employees shall reimburse the department or County for personal long-distance calls or facsimiles, regardless of what telephone was used.
- 407.24 Training and Education** – An employee shall attend all mandatory programs and is encouraged to participate in other programs offered by the department, the County, or other law enforcement agencies.
- 407.25 Undercover Assignment Identification** – To protect undercover and special assignment employees in the performance of their duty, employees should use discretion in speaking with such employees when in purview of the public. When challenged by a uniformed officer, or someone identifying themselves as a law enforcement officer, the challenged non-uniformed employee shall follow exactly the instructions of the challenging officer until identification is acknowledged and confirmed. It is the responsibility of the non-uniformed employee to provide proper identification when challenged by a law enforcement officer in street situations.
- 408.00 Equipment** – Employees are accountable for all equipment issued to them. All such equipment shall be in good working order. Employees shall inspect all issued equipment upon receipt. All noticeable damage or defects shall be brought to the attention of the issuing authority or supervisor. Unless otherwise

indicated, department equipment shall be used only for department purposes. The personal use of equipment, uniforms or County facilities shall only be with the written permission of the Chief of Police or designee. A request for such use shall be forwarded through the chain of command. Employees shall not attempt to operate any equipment for which they are neither qualified nor authorized to use. Employees may carry articles of personal equipment while on duty with approval of the appropriate division or section commander. If carried, such equipment must be in proper working order.

- 408.01 Equipment Accountability** – Employees are accountable for the condition, appearance, and cleanliness of department equipment issued to them or under their control or management. Employees shall notify a supervisor and report in writing to the Division Commander, through the chain of command, of any lost, stolen, or damaged department equipment. Employees are subject to disciplinary action for destroying, losing, or misplacing department equipment through negligence. Repair and replacement of lost, stolen, or damaged department equipment shall be at the direction of an employee's supervisor.
- 408.02 Equipment Inventory and Return** – Each section, unit, office, or individual that issues department equipment shall maintain an inventory of the equipment and to whom it was issued. Transfer of equipment shall be through, or at the direction of, the issuing authority. Upon separation from employment, issued equipment shall be returned to the issuing authority. A separated employee may be held personally responsible for lost, stolen, damaged, or equipment not returned.
- 408.03 Flashlights** – The two-cell and the rechargeable flashlight are department issued flashlights, primarily intended as illumination devices. Employees who are not issued one of these flashlights are authorized to use a flashlight constructed of thin metal (1/16" inch thickness or less) or a non-metal substance with a pre-battery weight not to exceed 12 ounces. The Chief of Police may authorize the use of other lighting devices as the situation dictates.
- 408.04 Radios** – Employees engaged in field assignments must be equipped with, or have ready access to, radio communications, unless exempted by the Chief of Police or a commanding officer.
- 408.05 Police Vehicle Identification Placard** – Sworn and authorized civilian staff and partner agencies, with proper justification, may obtain an ACPD Vehicle Identification Placard from the Support Management Section (SMS). The placard shall be prominently displayed on the dashboard of the vehicle and is used to identify personally owned or unmarked department vehicles being used in the performance of official duties. Examples include but are not limited to:
- Restricted department parking areas (ex. jurors' lot, fire department parking lots, partner agency property).
 - Private property while on official business (to comply with [§46.2-1231](#) prohibiting towing of police vehicles off private property).
 - Restricted parking areas during special events.

Lost or stolen placards will be immediately reported to the employee's chain of command, documented in a case report, and entered it into NCIC/VCIN. The placard must be returned to SMS prior to separation from the agency. Additionally, the Department may pursue legal options for recovery and potential prosecution for unauthorized use.

409.00 Gift or Gratuity – An employee shall not accept gifts, gratuities, or loans from organizations, business concerns, or individuals with whom he or she has official relationships on business of the County government and/or police department when such organization, business concern, or individual has or will do business with the County and/or the police department within a reasonable time before or after acceptance.

These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed to the general public or to a general class of persons over a broad area, or to prohibit employees from accepting social courtesies which promote good public relations, or to prohibit employees from obtaining loans from regular lending institutions.

It is particularly important that employees involved in inspections, contracting, and/or enforcement avoid any relationship which might be construed as evidence of or appears to be favoritism, coercion, unfair advantage, or collusion with respect to the employee or on the part of the government. An employee shall report in writing to the Chief of Police, the receipt of any unauthorized or unsolicited gift or gratuity. The Chief of Police shall determine the disposition of the item. (Also see A.R. 2.7)

410.00 Leave – An employee shall earn, use, and be compensated for leave in accordance with the County's administrative regulations and guidelines established by the County Manager. Most leave, except sick leave and liberal leave, must be requested in advance through TeleStaff. It shall be the responsibility of the employee to ensure that their accrued leave balance is sufficient to accommodate the amount requested in TeleStaff. An employee who is sick and cannot come to work must report this fact to their supervisor, or as required by department or section policy.

The County Manager during emergencies, such as extreme weather, authorizes liberal leave. Liberal leave does not require prior approval and does not apply to employees deemed essential by the department. An employee using liberal leave will have the hours deducted from the employee's annual leave or compensatory leave balance. (Also see A.R. 2.7)

411.00 Operational Involvement by Civilian Employees – Unless otherwise provided by this sub-section, civilian employees of the police department shall not:

- Make arrests or physically assist in the making of arrests.
- Serve or execute arrest warrants or summonses.
- Search, guard, or transport prisoners.
- Serve or execute protective orders or mental detention orders.

- Serve or execute civil writs or summonses.
- Seize property.
- Carry or wear any type of weapon while on-duty.

The above prohibitions do not preclude Public Service Aides from issuing parking tickets, booting vehicles, or performing other operational tasks identified in their job descriptions, nor do they preclude Crossing Guards from performing duties normally associated with traffic direction and the protection of pedestrians.

The above prohibitions also do not prevent civilian employees from assisting sworn officers or taking appropriate action in emergency situations where a failure to act may result in an injury to any person, or otherwise result in a serious threat to public safety.

412.00 Orders – An employee shall respond to orders issued by a supervisor in the manner described in this section. Discipline may incur where there is a willful disregard of a lawful order, command, or procedure. An order shall be issued in a clear, concise, and civil manner.

An employee shall comply with a lawful order issued by a supervisor, whether such order is delivered in person, in writing or relayed through another person. An employee shall only issue an order, which does not conflict with or violate any law, ordinance, procedure, rule or regulation. An employee shall comply with a legal order, but may appeal the action if the employee considers the order improper or unjust.

412.01 Appealing an Order – An employee shall report to the appropriate Division Commander, through the chain of command, the reception of an unlawful, improper or unjust order. The report shall be at the earliest opportunity and shall contain the facts of the incident and the action taken. An appeal for the release from such order may be made at the same time.

412.02 Complying with an Unlawful Order – An employee is not required to comply with an order that is contrary to a law, ordinance, procedure, rule, or regulation. The employee shall advise the issuing authority of the illegality of an order. If a controversy exists, an employee of higher rank than the parties concerned should be consulted to determine what action should be taken.

412.03 Conflicting Order – An employee shall inform the person issuing an order if it conflicts with an existing order. The responsibility for countermanding the original order then rests with the person issuing the superseding order. An order shall be countermanded only when it is in the best interest of the department.

413.00 Patriotism – A police employee is a representative of the government and while on-duty shall be supportive of the United States of America.

413.01 Exemption – An employee shall be exempt from rendering proper respect to the flag or national anthem if engaged in department business in which the interruption would create a safety hazard or breach of duty.

- 413.02 Flag** – An employee shall render proper respect when the national, state, or county flag is displayed.
- 413.03 National Anthem** – An employee shall render proper respect when the national anthem is played.
- 413.04 Saluting** – An employee, in uniform, shall render a military salute from the position of attention during the playing of the national anthem or the approach of the national colors. Employees in civilian attire shall stand at attention, face the flag, and place their right hand over the heart.
- 414.00 Personal Contacts** – Employees shall be responsive to the needs of the public by rendering prompt and courteous service and consistently conducting themselves in a manner that encourages public respect. Employees are expected to conduct themselves in a professional manner at all times.
- Employees will treat all persons with respect and will not use degrading, profane, abusive or defamatory language when in contact with the public, toward other employees, or when in public view. Employees are expected to be courteous and dignified at all times as the circumstances allow. The personal biases or attitudes of the employee must not influence their decision to take police action other than what is justified or expected within the constraints of discretion.
- 414.01 Compliance to Laws** – All employees, on duty or off duty, shall comply with federal, state and local laws and ordinances. In case of improper action, breach of discipline, or violation of law, it will be presumed that the department employee was familiar with the law, ordinance, rule, regulation, policy, or order in question.
- 414.02 Conduct Unbecoming** – The conduct of employees, on or off duty, may directly reflect upon the Arlington County Police Department. Employees shall conduct themselves at all times, both on and off duty, in such a manner to reflect most favorably upon the department and Arlington County.
- Conduct unbecoming by a police employee is any conduct that adversely affects the operations, morale or efficiency of the department or any conduct which has a tendency to adversely affect, lower or destroy public respect and confidence in the department or any employee. Conduct unbecoming also includes any conduct that brings the department or any employee into disrepute or brings discredit upon the department or any employee; or, an act of misconduct that has a nexus or connection to the employee's performance or ability to perform his/her job.
- 414.03 Criminal Investigation Involvement** – Any employee who becomes involved in a criminal investigation in any jurisdiction as a defendant, witness, or suspect shall report such involvement in writing to their Division Commander and the Office of Professional Responsibility, via the chain of command. This notification shall be made no later than the next business day after the employee's involvement becomes known to them.
- 414.04 Drug Testing** – Testing employees for suspected illegal drug use or alcohol abuse shall be governed by [Arlington County Administrative Regulation 2.7](#).

- 414.05 Fines, Collateral and Other Money** – No employee shall accept payment of fines, collateral, fees, or receive other money unless authorized to do so.
- 414.06 Financial Obligations** – An employee shall make every effort to make timely payment of all debts as financial irresponsibility is contrary to the public trust granted to a department employee.
- 414.07 Fraternal Organization** – An employee is prohibited from joining any organization which advocates the suppression of constitutional rights or engages in subversive activities.
- 414.08 Harassment** – No employee shall make any comment, nor take any action, which contributes to harassment or discrimination based on race, sex, ethnic group, religious belief, or sexual orientation (Also, see Manual directive 511.04 *Harassment*).
- 414.09 Insubordination** – No employee shall be insubordinate. Insubordination is disrespectful, insolent or abusive language or acts toward a supervisor, failure or refusal to obey a lawful order given by a supervisor, ridiculing the order of a supervisor, or engaging in any job actions.
- 414.10 Intoxicants** – No employee shall use any intoxicant while on duty unless necessary to perform a police duty, and only with the permission of a commanding officer. No employee in uniform shall use any intoxicant, whether on duty or off duty. No employee will report for, or be on duty, while under the influence of any intoxicant, nor shall the employee be unfit for duty because of the use of any intoxicant.
- No employee shall report for duty with the odor of an alcoholic beverage on his or her breath. No employee shall bring any intoxicant into a police facility except that which has been legally confiscated, held as evidence, or for safekeeping. No employee shall place, carry, or transport any intoxicant while in a department vehicle, except that which was legally confiscated, held as evidence or for safekeeping.
- 414.11 Job Actions** – Employees shall not plan, support, or engage in any strike, work stoppage, slowdown, or similar job action.
- 414.12 Non-jurisdictional Authority of Sworn Officer** – A sworn officer shall have the same power of arrest outside of Arlington County as a private citizen, unless within the scope of fresh pursuit.
- 414.13 Notices and Announcements** – An employee shall not mark or alter any notice or announcement of the department without proper authorization. A notice or announcement shall not be posted without the permission of a supervisor and shall not be posted except at a location provided for such purpose.
- 414.14 Supervisory Contacts** – Employees shall treat supervisors with respect and shall be courteous and civil toward them. Officers should be referred to by their rank while on duty in public. Except in exigent circumstances, a supervisor should not censure a subordinate in the presence of others. A censure of a

subordinate shall be documented and available for inspection by the affected employee. This does not prohibit an informal oral reprimand or constructive criticism directed at a subordinate.

414.15 Tobacco – Use of tobacco or nicotine products by sworn employees is strictly governed by the tobacco related Condition of Employment signed by the employee at the time of hire. Civilian employees are permitted to smoke in Arlington County’s designated smoking areas. Use of tobacco or nicotine products, by all employees, is not permitted while interacting with the public.

414.16 Marijuana - While Virginia and other state laws may permit the use, possession and/or distribution of cannabis or anything containing Tetrahydrocannabinol (“THC”), such use, possession and/or distribution remains a federal offense. THC is a controlled substance per DEA Regulations 21 C.F.R. Sections 1308.11 through 1308.15. The use, possession and/or distribution of cannabis or anything containing THC by employees is strictly prohibited.

415.00 Photographs and Endorsements – No employee shall pose for any photograph, nor make any endorsement, for a commercial publication pertaining to police work or the functions of the department without the permission of the Chief of Police.

415.01 Official Department Photographs – Regardless of assignment, all officers shall have an official department photograph taken in rank. Attire for all sworn photographs shall be the long-sleeve “Class A” uniform shirt and tie. Photographs shall be taken:

- Upon appointment to the department
- Upon graduation from the academy
- Upon promotion or change in rank
- Upon completion of three years of continuous service within the same rank.

Civilian employees shall be photographed upon appointment to the department and every three years thereafter. Non-uniform civilian employees shall be photographed in professional business attire and uniform civilian employees shall be photographed in their long-sleeve uniform shirt.

The Human Resources Management Section will oversee all official department photographs with the program administrated through the crime scene MPOs.

The release of official department photographs is restricted to the Office of Media Relations and Public Affairs or with prior approval by the Chief of Police, or designee.

415.02 Political Activity – No employee shall engage in any political activity that is prohibited by [§ 6-23. Political Activities of the Arlington County Code](#) or guidelines established by the County Manager.

415.03 Private Sector Contribution – No employee shall solicit a private sector contribution unless specifically authorized by County and department policy.

- 415.04 Promotion** – Every promotion shall comply with Administrative Regulation 2.7 and procedures approved by the Chief of Police. (Also see A.R. 2.7)
- 415.05 Publicity and Personal Promotion** – No employee shall use their position within the department to enhance or promote any private enterprise, or to seek personal publicity without first receiving permission from the Chief of Police.
- 415.06 Public Statement** – No employee shall address a public or other gathering concerning the work of the department, nor make any statement for publication concerning any plans, policies, or affairs of the administration of the department unless authorized to do so by the Chief of Police or as set forth in the employee's job duties.
- 415.07 Recommending a Person or Service** – No employee shall, while on duty or when acting as a spokesperson for the department, suggest, recommend, advise or counsel any person with whom the employee becomes acquainted with as a result of police business, regarding the retention of an attorney, bail bond broker, or other service.
- 416.00 Physical Fitness** – Employees shall maintain good physical fitness and are encouraged to engage in exercise programs necessary to maintain such fitness. Employees shall participate in any physical training program required by the department unless exempted for disability reasons.
- 416.01 Physical Assessments** – Physical assessments used to determine a uniformed employee's physical well-being and fitness for duty will be conducted by a County approved physician. Physical assessments by the County's examining physicians will be administered on the following cycle:

Ages 21 to 29	Every three (3) years
Ages 30 and 39	Every two (2) years
Ages 40 and older	Annually
SWAT Members	Annually

Physical assessments will be administered through the Human Resources Management Section. The HRMS will notify employees during the calendar year in which a County physical is required and physicals must be completed during the employee's birth month. An employee unable to complete their physical during their birth month shall contact HRMS personnel and reasonable accommodations will be made on a case-by-case basis.

Physical assessments required by the department will be provided at no cost to the employee. Employees should consult with their personal physicians on any subsequent issues noted in the physical assessment.

Employees receiving an unsatisfactory fitness for duty classification by the County's examining physician may be placed on restricted assignment or require subsequent examinations. The Chief of Police reserves the right to require an examination by a County appointed physician or psychologist at any time.


Nothing in the above regulations prohibits employees from seeing personal physicians. Department employees are encouraged to have regular health checks to maintain their physical well-being.

- 417.00 Police Facilities** – Every employee is responsible for maintaining a clean working area and shall promptly report conditions requiring the attention of building maintenance to the Systems Management Division Commander's Office. No employee shall enter a restricted area unless authorized to do so. No employee shall possess any key, access card, or combination to a lock to a restricted area unless authorized by a Division Commander. An employee who must obtain a key, access card, or sign a control logbook shall do so in compliance with established department procedures. Most areas that have a sign AUTHORIZED PERSONNEL ONLY designate a work area that is not open to the public. Police and ECC employees are generally considered authorized personnel and may enter these areas utilizing their assigned access card, unless specifically prohibited by this regulation or department policy.
- 417.01 Access to Restricted Areas** – Access to areas within Police Headquarters shall be limited to personnel assigned to that area and/or employees who have a legitimate, work related reason for access.
- 417.02 Armory** – Employees shall not enter the armory unless authorized by the department range officer or a supervisor with the authority to grant such permission.
- 417.03 Booking Area** – Employees are prohibited from entering the booking area of the Detention Facility except for official department business. A civilian on official business or a tour group led by a department employee must have prior permission of the on-duty Sheriff's Office supervisor. A civilian ride-along should remain outside while the employee is in the booking area. A Police Chaplain can accompany an employee into the booking area, but for safety reasons, may be asked to remain outside. Firearms, impact weapons, ammunition, and knives shall be secured in the lockers provided before entering any area of the Detention Facility.
- 417.04 Computer Room** – Access to the computer room is limited to employees assigned to the Public Safety Information Technology Group or authorized employees. Only those authorized employees shall be provided with the access code to the computer room and the door shall remain closed at all times.
- 417.05 Other Facilities** – The use of other County facilities shall be according to the policies and procedures of the County departments responsible for those facilities.
- 417.06 Administrative Support Unit** – Only authorized employees shall have access to records maintained by the Administrative Support Unit. Employees in need of records will make their request at the public counter during normal business hours. Access to the Administrative Support Unit after hours requires the use of an access card and key from the KeyWatcher® system. The key can be used to gain access to the unit by authorized personnel.

- 417.07 Trades Center and Police Impound Lot** – The Arlington County Trades Center and Police Impound Lot shall be used only for authorized department purposes, and in accordance with department or county procedures.
- 418.00 Purchase or Travel Request** – An employee who makes a purchase on behalf of the department or travels on official department business shall abide by all regulations regarding such purchase or travel. The expenditure of funds shall be fully justified and documented. For information regarding a purchase, an employee shall consult with the department's Evidence/Inventory Management Unit on how to order the item or consult with the department's Fiscal Management Unit regarding payment for the item. For information regarding a travel request, an employee shall consult with the department's Training and Career Development Unit or the department's Fiscal Management Unit.
- 419.00 Use of ACPD and Arlington County Brands** – The Arlington County Police Department is the sole and exclusive owner of the right to use any badges, patches, logos, seals, pins, and any other brand, mark, design, motto, or insignia that is readily identifiable with and/or associated with the Arlington County Police Department. These items are reserved for official use only and may not be recreated, modified, or used in any manner without the express written permission of the Chief of Police. This prohibition extends to manufacturing, marketing, selling, or distributing any merchandise developed by any business entity or person – including ACPD personnel. Additionally, Arlington County logos, seals and brands are trademarked and authorized for official county use only and may not be recreated or modified in any way.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: 12/7/2021	Amends/Supersedes: January 11, 2018 October 15, 2016 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): N/A			

538.03 Retired Officer Credentials, Handgun Purchase, and LEOSA

I. Policy

It is the policy of the Arlington County Police Department to issue credentials, concealed carry permits, identification cards, and/or LEOSA identification cards to eligible retired or separated officers who honorably served the Arlington community. The department may also permit eligible retired officers to purchase their department-issued handgun. These privileges shall be granted in accordance with applicable state and federal law.

II. Code Requirements

- A. [Arlington County Code, Chapter 46 – Arlington County Employees' Supplemental Retirement System.](#)
- B. [Code of Virginia, § 18.2-308.016 – Retired law-enforcement officers; carrying a concealed handgun.](#)
- C. [Code of Virginia, § 59.1-148.3 – Purchase of handguns or other weapons of certain officers.](#)
- D. [Code of Virginia, § 9.1-1000 – Retired law-enforcement officers; photo identification cards.](#)
- E. [18 U.S. Code § 926C - Carrying of concealed firearms by qualified retired law enforcement officers.](#)

III. Definitions

- A. Retired Officer – An officer who has separated from the department in good standing and 1) will begin receiving retirement payments from the Arlington County Employees' Retirement System immediately upon separation, or 2) at the time of separation, meets the eligibility requirements for early retirement for police officers as set out in Chapter 46 of the Arlington County Code.
- B. Separated Officer – An officer who has separated from the department in good standing and does not meet the definition of a Retired Officer.
- C. Retired Law Enforcement Credentials – A department-issued badge and photographic identification card that identifies the holder as a retired Arlington County Police Officer.

- D. Law Enforcement Officers' Safety Act (LEOSA) - A federal law (18 U.S. Code § 926C) authorizing the concealed carry of firearms in the United States, with certain restrictions, by active duty law enforcement officers and qualified retired or separated law enforcement officers.

IV. Procedures

A. Retired Law Enforcement Credentials

Retired Officers with 15 or more years' service with the department or who are retiring due to a service-related disability shall be issued Retired Law Enforcement Credentials at the time of separation from the department.

The photographic identification card included with Retired Law Enforcement Credentials shall serve as "written proof of consultation with and favorable review of the need to carry a concealed handgun" as required by § 18.2-308.016 of the Code of Virginia.

B. Retired Law Enforcement Officer Concealed Carry Card

Retired Officers with 1) more than 10 but less than 15 years' service with the department or 2) less than 10 years' service with the department and who are 55 years of age or older at the time of separation shall be issued a photographic identification card which serves as "written proof of consultation with and favorable review of the need to carry a concealed handgun" as required by § 18.2-308.016 of the Code of Virginia.

C. Retired Law Enforcement Officer Identification Card

Retired Officers not eligible for Retired Law Enforcement Credentials or a Retired Law Enforcement Officer Concealed Carry Card shall be issued, upon request, a photographic identification card identifying them as a retired Arlington County Police Officer, as required by § 9.1-1000 of Code of Virginia.

A Retired Law Enforcement Officer Identification Card does not confer the ability to carry a concealed firearm.

D. Purchase of Department-Issued Handgun

Retired Officers with at least 5 years' service with the department may be allowed to purchase their department-issued handgun. For Retired Officers with 1) 10 or more years' service with the Department, or 2) who are 70 years of age or older at the time of separation, or 3) who are retiring due to a service-related disability, the purchase price shall be \$1.00. For Retired Officers with more than 5 but less than 10 years' service with the department and who are younger than 70 years of age at the time of separation, the purchase price shall be the fair market value of the handgun.

E. LEOSA

1. Qualified Retired and Separated Officers may be eligible for privileges under LEOSA. To qualify for LEOSA privileges, Retired or Separated Officers must:

- a. have separated in good standing from service as a law enforcement officer, including as a military police officer, with an aggregate of 10 or more years' service or, after completing any applicable probationary period, due to a service-related disability;
 - b. not have been disqualified for reasons related to mental health by a qualified medical professional;
 - c. not have entered into an agreement with the department acknowledging that the Retired or Separated officer is disqualified for reasons related to mental health;
 - d. not be prohibited by state or federal law from possessing a firearm.
2. In order to carry a concealed firearm under LEOSA, qualified Retired and Separated Officers must:
- a. not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
 - b. carry a photographic identification card identifying them as a qualified Retired or Separated Officer and carry either:
 - i. a certification from the department indicating the Retired or Separated Officer has, within the past year, passed the department's active-duty firearms qualification course for a firearm of the same type as the concealed firearm; or
 - ii. a certification, issued by either the state in which the Retired or Separated Officer resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the Retired or Separated Officer has, within the past year, been tested or otherwise found to meet the standards established by the state or, if the state has not established such standards, the standards of any law enforcement agency in that state.
3. The department shall issue a photographic identification card meeting the requirements of LEOSA to any qualified Retired or Separated Officer. The LEOSA identification card shall be separate from and in addition to the identification cards detailed above and shall specifically state that the bearer is a LEOSA-qualified Retired or Separated Officer. If a qualified Retired or Separated Officer successfully completes firearms qualification with the department or provides proof of qualification elsewhere, the LEOSA identification card shall indicate the date of the most recent firearms qualification.
4. The department will provide the opportunity for qualified Retired and Separated Officers to pass the department's active-duty firearms qualification course. LEOSA qualification will take place at the discretion of the armory/range staff and when there is range availability.

5. LEOSA may carry additional requirements and restrictions. A Retired or Separated Officer carrying a concealed firearm under LEOSA is responsible for complying with all applicable regulations. LEOSA does not grant a Retired or Separated Officer powers of arrest or immunity from liability.

F. Requesting Retired or Separated Officer Privileges

The Courts, Licensing and Compliance Office detective is the coordinator for the privileges outlined in this directive. Officers must request these privileges by completing an [ACPD Retiree Credential/LEOSA/Handgun Purchase Form](#) and submitting it to the Courts, Licensing and Compliance Office. The form will be reviewed by:

1. the HRMS Commander for confirmation of departure type and years of service;
2. the OPR Commander for confirmation of good standing;
3. the Chief of Police for final approval and authorization.

The Courts, Licensing, and Compliance Office detective shall comply with all requirements under local, state, and federal law regarding the granting of privileges outlined in this directive.


Qualified Retired or Separated Officers requesting LEOSA privileges must complete a [LEOSA Application and Renewal to Carry a Concealed Firearm form](#). Each year that a Retired or Separated Officer qualifies for LEOSA, the officer must complete and submit a new form. An updated LEOSA card will be issued to any qualified Retired or Separated Officer.

Before approving any of the privileges outlined in this directive, the Chief of Police may consider information relevant to a Retired or Separated Officer's ability to safely and responsibly possess retired law enforcement identification or a firearm.

Any of the privileges outlined in this directive may be revoked upon showing that a Retired or Separated Officer is not able to safely and responsibly possess retired law enforcement identification or a firearm. The Chief of Police shall make the final determination regarding revocation.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: February 15, 2022	Amends/Supersedes: July 1, 2019 June 14, 2018 October 1, 2016 SO 2016-01 October 15, 2013	By Authority of the Chief of Police  Charles A. Penn
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538.05 Use of the TASER CEW

I. Policy

This policy provides guidelines for the issuance and use of the TASER CEW, a less-lethal weapon designed to temporarily incapacitate a dangerous or potentially dangerous person from a safer distance than other force options. TASER CEW use must be in accordance with the provisions of this directive and those of 538.04 – *Use of Force*. This directive does not create a duty to use the TASER CEW in lieu of other weapons or devices.

II. Definitions

- A. TASER CEW – A conducted energy weapon (CEW) which transmits an electrical pulse into the body through up to two inches of clothing. The probes do not have to penetrate the skin to be effective. The current model used by the department is the TASER 7 CEW.
- B. Neuro-Muscular Incapacitation (NMI) – An electrical signal which stimulates the central nervous system and directly controls the sensory and motor nervous systems. NMI causes involuntary contractions of the muscle tissue, incapacitating the suspect.
- C. Close Quarters Smart Cartridge – A replaceable cartridge for the TASER CEW with a bottom probe that deploys at a 12-degree downward angle.
- D. Standoff Smart Cartridge – A replaceable cartridge for the TASER CEW with a bottom probe that deploys at a 3.5-degree downward angle.
- E. Taser Coordinator – An officer designated by the Captain in charge of the Training and Career Development Unit to coordinate the department's TASER CEW training and logistics.

III. Procedure

A. TASER CEW Use

1. Warning arc – A warning arc is a non-contact demonstration of the TASER CEW's ability to discharge electricity. A warning arc is performed by moving the safety to the armed (up) position and pressing and holding the arc switch without removing the smart cartridges.

2. Probe mode – When used in probe mode, the TASER CEW fires two small, barbed probes connected to the smart cartridges by wires. When both probes make direct contact with a suspect and have sufficient distance (spread) between them, NMI is achieved. The TASER CEW is most effective when used in probe mode. Use of probe mode at distances of less than three feet may not result in NMI due to insufficient spread. Probe mode includes subsequent pulls of the trigger or presses of the arc switch, which re-energize any smart cartridge still attached to the TASER CEW.
3. Drive stun follow-up – A drive stun follow-up is using the TASER CEW to make direct contact with a suspect in order to complete a circuit and achieve NMI. This technique is only utilized after a TASER CEW has been used in probe mode and only one probe has made contact with a suspect, or two probes have made contact with a spread insufficient to achieve NMI.

B. Deployment Criteria

1. A TASER CEW may only be deployed in probe mode or drive stun follow-up when an officer is faced with an exigency creating an immediate safety risk that is reasonably likely to be cured by deploying the TASER CEW. Each deployment of a TASER CEW in probe mode or drive stun follow-up must meet this criteria. Non-compliance with police orders and passive or non-violent resistance, are not, by themselves, exigencies creating an immediate safety risk that permit the use of the TASER CEW.
2. A warning arc may be used to gain control of a potentially dangerous or unlawful situation or suspect when use of the TASER CEW in probe mode or drive stun follow-up is not allowed. Use of a TASER CEW warning arc, while not involving physical contact with a suspect, is a serious act and is only to be done for a legitimate law enforcement purpose.
3. Officers shall not aim a TASER CEW at a person's head, neck, or groin, except when lethal force is justified.
4. The TASER CEW shall not be deployed:
 - a. When the officer has reason to believe a suspect has come into contact with a flammable substance or is in a flammable atmosphere.
 - b. Punitively or in an unjustified manner.
 - c. To escort individuals.
 - d. To awaken unconscious or intoxicated individuals.
 - e. To prevent or stop a person from committing self-harm, unless the self-harm being threatened or committed is likely to cause death or significant bodily injury and use of the TASER CEW is reasonably likely to prevent or stop the self-harm.
 - f. For any reason other than a legitimate law enforcement purpose.

5. The TASER CEW shall not be used in the following situations unless an officer is able to articulate specific exigent circumstances that justify such use:
 - a. When an officer has reason to believe deployment of the TASER CEW may cause serious injury or death from situational hazards such as falling or drowning.
 - b. When an officer has reason to believe a suspect is pregnant unless lethal force is justified.
 - c. When an officer has reason to believe the suspect suffers from a heart condition.
 - d. When the suspect is operating a motor vehicle unless the vehicle has been immobilized.
 - e. When a TASER CEW is deployed at a second suspect while the TASER CEW is still connected to a first suspect unless the first suspect meets the deployment criteria in subsection III.B.1.
 - f. When the suspect is holding a firearm.
 - g. When the suspect is handcuffed or in other physical restraints.
 - h. When the suspect is physically immature, frail, or disabled.
 - i. In a situation where lethal force is clearly justified unless another officer is present and capable of providing lethal force cover.

C. Deployment and Firing Procedures

1. Ideally, if time and the tactical situation permits, deployment of a TASER CEW is a team effort involving several officers, including a primary TASER CEW officer, a secondary TASER CEW officer, an arrest team, a lethal force cover officer, and a supervisor.
2. Deployment of a TASER CEW without an arrest team or backup officers is appropriate when insufficient time exists to assemble a full team or when site conditions make the use of a second TASER CEW impractical. If a supervisor was not on scene at the time of a TASER CEW deployment, the officer who deployed the TASER CEW shall ensure a supervisor is notified as soon as possible after deployment.
3. If the situation allows for it, officers shall precede their firing of the TASER CEW with verbal commands in an attempt to gain compliance from the suspect. Whenever possible, the officer firing the TASER CEW shall shout the word "Taser" at least twice immediately prior to discharging the TASER CEW to alert other officers that a deployment is about to occur.
4. When practical, an officer deploying a TASER CEW and all support officers shall seek cover before the TASER CEW is fired. All officers engaged in a TASER CEW deployment shall position themselves far enough from the

suspect to avoid interfering with the operations of the TASER CEW but close enough to effectively perform their duties.

D. Medical Assistance

1. As soon as practical after the deployment of a TASER CEW where contact is made with a suspect, officers shall request medical assistance, whether there is an injury or not.
2. Medical personnel will determine whether the TASER CEW probes penetrated the suspect's skin. If they did, any embedded probes shall be removed by medical personnel.
3. In most cases, transport of the suspect to a medical facility is not necessary. However, medical transport is mandatory when:
 - a. The suspect requests, or medical personnel recommend, medical transport.
 - b. The suspect was struck by the TASER CEW in the head, neck, or groin.
 - c. The suspect is discovered to be pregnant or suffering from a heart condition.
 - d. The suspect complains of, or appears to be suffering from, chest pains, irregular heartbeat, difficulty breathing, and/or diminished consciousness.
 - e. Any probe, or portion thereof, could not be removed from the suspect by medical personnel at the scene of the deployment.
 - f. The suspect has sustained a secondary injury that cannot be adequately treated by medical personnel at the scene of the deployment.
 - g. If the suspect exhibits behavior and/or physical signs of possible excited delirium.
4. If the suspect is transported to a hospital or other medical facility, the officer who maintains custody at that facility shall obtain a written medical release upon the suspect's discharge.

E. Reporting

1. An officer who deploys a TASER CEW in probe mode or drive stun follow-up shall document the circumstances in a Case Report. A supervisor shall document any TASER CEW probe mode and drive stun follow-up deployment in a Use of Force review in BlueTeam. The Case Report and BlueTeam documentation of probe mode and drive stun follow-up deployments shall occur even if contact was not made with a suspect. An officer who discharges a TASER CEW unintentionally shall notify a supervisor. A supervisor shall document any unintentional discharge of a TASER CEW in an Administrative Investigation in BlueTeam.

2. An officer who points a TASER CEW at a person, with or without displaying a warning arc, shall document the circumstances in a Case Report or Field Investigation. Pointing a TASER CEW at a person, with or without displaying a warning arc, does not require a BlueTeam entry.

F. Collection of Evidence

1. Following any intentional use of a TASER CEW in probe mode, an agent with TASER CEW evidence procedure training shall perform the following tasks:
 - a. Collect expended cartridges, probes, intact TASER CEW wires, and the TASER CEW cartridge. Care should be taken not to damage the wires as data can be collected from them. These items shall be submitted to the Evidence & Inventory Management Unit, in accordance with standard evidence submission procedures.
 - b. Take photographs of the impact areas on the suspect's body:
 - I. If probes penetrated the suspect's skin, photos of probes still embedded, if such photographs can be taken without delaying removal, AND
 - II. Photos of the same areas of the suspect's body after successful removal of the probes, OR
 - III. If probes did not penetrate the suspect's skin, photos of the areas believed to have been struck by the probes, showing that no penetration occurred.
 - IV. If drive stun follow-ups were executed or attempted, photographs of the area where they contacted the suspect's body or were intended to contact the suspect's body.

G. Wearing/Carrying of TASER CEW

1. Officers shall carry the TASER CEW in a holster approved by the Taser Coordinator on the opposite side of the body as their duty firearm. Officers shall not attach the TASER CEW to the exterior ballistic vest except that SWAT officers may carry a TASER CEW in a holster approved for SWAT officers by the Taser Coordinator on their exterior ballistic vest during a SWAT mission or training. SWAT officers who attach a TASER CEW holster to their exterior ballistic vest during a SWAT mission or training shall position it so that the officer's drawing motion is the same as the officer's drawing motion when carrying the TASER CEW during non-SWAT assignments.
2. Officers shall carry the TASER CEW loaded with two Close Quarters Smart Cartridges. Officers shall carry two Standoff Smart Cartridges in a cartridge pouch approved by the Taser Coordinator attached to the TASER CEW holster or to the officer's patrol belt or vest. Officers may remove the Close Quarters Smart Cartridges and load Standoff Smart Cartridges when

appropriate for the tactical situation. When the need for Standoff Smart Cartridges is concluded, officers shall remove the Standoff Smart Cartridges and load Close Quarters Smart Cartridges. Officers may only carry the TASER CEW loaded with Standoff Smart Cartridges temporarily when Close Quarters Smart Cartridges are not available.

3. Officers issued a TASER CEW shall carry the device while working any uniformed assignment or detail.

H. Training

1. Officers selected to be TASER CEW certified must complete a training course approved by the Taser Coordinator. Upon completion of training, officers will be issued an assigned TASER CEW. TASER CEW certified officers are required to re-certify annually. If an officer's TASER CEW certification expires, the officer must immediately notify the officer's supervisor and the Taser Coordinator, attend the next available full TASER CEW certification class (not a re-certification class), and may not carry a TASER CEW until successful completion of the class.
2. TASER CEW certified officers shall maintain their certification without interruption until they are transferred to a non-uniformed assignment or are promoted to the rank of Sergeant.

I. Maintenance


1. All officers are responsible for ensuring that their assigned TASER CEW is properly maintained. Officers shall change out their TASER CEW battery with a fully charged battery at least once a month to ensure a proper charge and up-to-date firmware. Bi-annual download maintenance will be performed by the Taser Coordinator to ensure that TASER CEWs are being function tested. Any TASER CEW that has been exposed to excessive moisture must immediately be brought to the attention of a TASER CEW instructor so that preventive maintenance may be conducted.
2. Officers shall function test their TASER CEW at least once during each workday at the beginning of their shift to ensure it is properly charged and in good working order. To function test the TASER CEW, ensure the safety is in the safe (down) position and press and release both arc switches simultaneously. Aim the TASER CEW in a safe direction, move the safety to the armed (up) position, press either arc switch, and visually verify electricity is arcing on both sides of the firing bay.

J. TASER CEW Storage

When not being used, all TASER CEW units should be stored in a secure, climate-controlled location. Officers shall make every reasonable effort to avoid storing TASER CEW units in extreme temperature conditions.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 24, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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511.04 Harassment

I. Policy

All employees have the right to work in an environment free of harassment of any type. Harassment will not be tolerated and any complaint of that nature will result in an immediate investigation. The appropriate corrective or disciplinary action will be taken against any employee found to have engaged in harassment or against any supervisor or manager who knew or should have known of that conduct and failed to take immediate and appropriate corrective action ([Arlington County E.E.O. Policy, A.R. 2.7](#)).

II. Definitions

- A. Harassment - Unwelcome conduct or speech directed toward any person, either directly or indirectly, which implicitly or explicitly ridicules, mocks, derides or belittles, based on a person's race, color, sex, sexual orientation, age, disability, marital status, religion, ethnicity or natural origin. This conduct may include, but is not limited to, offensive or derogatory behavior or speech referring to a person's race, color, sex, sexual orientation, age, disability, marital status, religion or ethnic or national origin.
- B. Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
 - 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. (Arlington County E.E.O. Policy, A.R. 2.7)
 - 4. Any other conduct defined as sexual harassment by the U.S. Equal Employment Opportunity Commission.

III. Procedures

- A. Supervisor Responsibilities
 - 1. Prevention of Harassment
 - a. It is the responsibility of every supervisor to monitor their unit's work environment to prevent or detect any forms of harassment;

- b. Every supervisor is responsible for articulating to his or her employees the Police Department policy concerning harassment;
- c. All supervisors shall be familiar with the process for handling incidents of harassment.

2. Knowledge of Harassing Conduct

- a. Upon discovery of any incident of harassment, the supervisor shall take immediate and direct action to end the offensive conduct;
- b. The supervisor shall immediately counsel the offending employee on their conduct and order that the harassing conduct ceases immediately;
- c. The offended employee shall be informed of the intermediate corrective action taken. The employee will also be advised of the avenues available for redress of the offending conduct; (Arlington County E.E.O. Policy, A.R. 2.7)
- d. The Chief of Police, or designee, will be informed, via the chain of command, of every known or suspected incident involving harassment; The Human Resources Director or designee will also be informed of any alleged incident.

B. Responsibilities of the Employee

- 1. All employees shall refrain from engaging in any form of behavior that constitutes harassment.
- 2. An employee who encounters an act of harassment should indicate to the offending employee that their actions are unwelcome.
- 3. All employees who encounter or witness acts of potential harassment should report the incident to their immediate supervisor, or the County's EEO office. In any situation where a supervisor is believed to be engaged in harassment, the reporting employee may submit their allegation to the next higher level of command of the offending supervisor, or the County's EEO office.
- 4. Employees involved in the investigation of any act of harassment shall cooperate fully in the investigation.

C. Complaint Process - An employee alleging harassment should file their complaint directly with:

- 1. The Arlington County Equal Employment Opportunity (EEO) Office;
- 2. An appropriate outside agency, (for example the U.S. Equal Employment Opportunity Commission);
- 3. All complaints of harassment shall be investigated by the Office of Professional Responsibility or, at the direction of the Chief of Police, another supervisor. The alleged harasser should not have supervisory authority over the individual conducting the investigation. The County's Human Resources EEO Office will be notified on all harassment


complaints. The EEO Office and the Police Department shall determine if a joint investigation will be conducted.

- a. All investigations should be conducted in accordance with A.R. 2.7 should be launched in a timely manner.
- b. At the conclusion of any investigation conducted within the Police Department, a written report shall be delivered to the Chief of Police who will take corrective action based on the facts presented in the investigation.
- c. There shall be no retaliation against any employee who, in good faith, files an accusation of harassment, assists, or participates in an investigation of such a complaint.
- d. The complainant and the accused involved in a harassment complaint shall be informed of the finding.
- e. Grievance and appeal procedures are outlined in Department Manual sections 511.02 and 511.03.

Employees who need clarification on how to file a complaint or with whom to file a complaint can speak with the county EEO investigator or employee advisor for guidance.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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511.05 Fitness for Duty & Early Intervention Program

I. Policy

Given the sensitive and dangerous nature of police work, the department has a compelling interest and a public obligation to require that its employees remain fit for duty. Therefore, the department shall be alert for signs of distress or instability in its employees, and shall act quickly to prevent such problems from threatening public safety and/or jeopardizing the law enforcement mission.

II. Purpose

The purpose of this directive is to guide supervisors in taking appropriate remedial and/or disciplinary action when discharging their responsibility to quickly recognize difficulties that may develop in an employee's personal life, as a result of work-related experiences, that threaten or diminish job performance. However, this directive also recognizes that supervisors are not trained psychologists, and accordingly, it does not create a standard of care or intervention commensurate with such qualifications. Instead, this directive merely requires that supervisors act within the normal scope of their supervisory and managerial training to identify poorly performing employees, assess the possible causes for the poor performance, and initiate appropriate remedial action.

III. Procedure

A. Supervisor's Responsibility

First-line supervisors and managers (hereafter jointly referred to as "supervisor") shall routinely observe subordinates' behavior and job performance, and shall consider information received from co-workers and the public, in order to identify employees who may be at risk for a crisis.

B. Remedial and Disciplinary Responses

1. If the supervisor concludes that no threat to job performance exists and that the employee poses no physical danger to any person, the supervisory inquiry shall cease. The supervisor may, however, suggest that the employee contact the Employee Assistance Program (EAP) for a voluntary self-referral, if the employee so desires.
2. If the supervisor concludes that job performance has indeed been impaired, or that any person's physical safety may be at risk, the supervisor shall take appropriate corrective action. Supervisors who have taken such action shall inform the next superior official within their chain of command.

3. The superior official who receives this notification shall review the supervisor's actions for sufficiency, and shall thereafter periodically inquire as to the status of the employee's progress. In any situation where the superior official judges a supervisor's action to be insufficient, the superior official shall initiate appropriate corrective response.
 - a. The superior official shall also inform the Office of Professional Responsibility and the applicable Section or Division commander in any case where the employee:
 - 1) Was referred to EAP.
 - 2) Was recommended for discipline.
 - 3) Was relieved from duty.
 - 4) Appears to be at significant risk for continued unsatisfactory job performance.

C. Early Intervention Program


1. 90-Day Review Process - In addition to the first-line and second-line supervisory duties described above, employee performance is monitored through a scheduled reporting and review process known as the Early Intervention Program (EIP).
 - a. To facilitate this program, the Office of Professional Responsibility maintains computerized records of all reported instances in which an employee was:
 - 1) Involved in a use of force incident.
 - 2) Involved in a vehicle pursuit.
 - 3) Judged to be at fault in a Departmental traffic accident.
 - 4) The subject of a formal complaint or investigation.
 - b. The Commander of the Office of Professional Responsibility shall query the computer records each quarter, to determine whether any employee was involved in three or more of the enumerated incidents in the past 90 days, or four or more within the past six months.
 - c. Where an employee is found to be so involved, the Commander of the Office of Professional Responsibility shall inform the Chief of Police, and shall also consult with the employee's commander, to ensure that an appropriate departmental inquiry and response is undertaken.
2. Annual EIP Report - The Commander of the Office of Professional Responsibility shall submit an annual report to the Chief of Police, summarizing the activities of the Early Intervention Program during the past year. This report shall include a list of all individual cases identified through the EIP process, as well as the disposition or status of those cases. The report shall also assess the effectiveness of the program and make recommendations, where necessary, for program modification or refinement.

D. Employee Performance Evaluations

Each official who reviews an employee's performance evaluation as it is forwarded through the chain of command, shall remain alert for unusually poor marks or other indications of a potential problem. When these are observed, the manager shall inquire, of the forwarding official, as to the seriousness of the problem and ensure that an appropriate response has been undertaken.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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519.02 Social Media

I. Policy

The department endorses the secure use of social media to enhance communication, collaboration and information exchange; to streamline processes; and advance productivity. This policy, in addition to the County's [Social Media Administrative Regulation](#) and [Administrative Regulation 2.7](#), establishes our department's position on the use and management of social media. Additionally, the policy will provide direction on the management, administration and oversight of user-generated content. Social media platforms include, but are not limited to, social media sites such as Facebook and Twitter, web sites, blogs and electronic communications, such as emails and texts from County owned devices.

II. Purpose

This directive provides information on the use and restriction of social media by department personnel on duty and off duty. Social media can impact operations and department personnel in their official capacity.

III. Procedure

A. Department Sanctioned Social Media Sites

1. All Department social media sites, postings or pages must be approved by the Chief of Police or designee and will be administered by the Media Relations and Public Affairs Office or as otherwise determined.
2. Where possible, the page and/or site should link to the Department's or County's official website.
3. Where possible, each maintained social media site shall include a statement that clearly specifies the purpose, scope and terms of use of the Department's presence.
4. Social media pages and/or sites shall clearly indicate that they are maintained by a designated Department member and shall have Department contact information displayed. The site or pages shall also be monitored by assigned Department personnel.
5. Social media site usernames and passwords will be created by the Media Relations and Public Affairs Office. The Public Information Officer will provide at least one additional Department employee with that information and keep that employee informed of any changes to log-on information. These usernames and passwords shall not be shared.

6. Social media content shall adhere to the established guidelines in the [County's Social Media Policy](#).
7. Where possible, social media sites and/or pages should state that the opinions expressed by residents, businesses and visitors do not reflect the opinions of the Department or Arlington County, its Board or County Manager.
 - a. Sites and/or pages should clearly indicate that posted comments will be monitored, and the Department reserves the right to remove any material, as it is a moderated online discussion site and not a public forum.
 - b. Sites and/or pages should clearly indicate that any content posted or submitted is subject to public disclosure.
 - c. Copies of any materials determined to be in violation of this policy will be removed from Department social media platforms and a copy retained by the Department for an appropriate period of time.

B. Social Media Communication Requirements

1. Personnel representing the Department through social media outlets shall:
 - a. Conduct themselves professionally at all times as a representative of the Department.
 - b. Adhere to Department standards and policies.
 - c. Identify themselves as an employee of the Department.
 - d. Maintain confidentiality of "Law Enforcement Information." Law Enforcement Information shall not be shared with non-Department personnel, the public or on social media platforms without authorization. "Law Enforcement Information" includes photos, audio files or names of individuals arrested or persons of interest; cases under investigation or completed; evidence of crimes; crime scenes; seizures; undercover personnel or activities; police reports; confidential informant information; special operations; tactics; surveillance; security efforts and other information that constitutes official law enforcement activities.


This obligation also includes not expressing personal opinions or volunteering information about state, federal or local law enforcement activities.
 - e. Members authorized to work with the Department's social media platforms also should not affiliate with, advocate for or promote, any political party or private business.
 - f. Department personnel shall observe and abide by all copyright, trademark and logo restrictions when posting material within social media platforms.

C. Non-Department Social Media Platforms and Other Electronic Communications

1. This policy does not restrict personnel from commenting on issues of general or public concern (as opposed to personal grievances) so long as the comments do not disrupt the workforce, interfere with important working relationships or efficient work flow, impede investigations, or undermine public confidence in the employee or the Department. Compliance with this section will be considered on a case by case basis.
2. "Law Enforcement Information" is considered confidential, protected, controlled or private and shall not be posted or referred to on non-Department Social Media Platforms or in private electronic communications.
3. Revealing confidential Law Enforcement Information without approval is strictly prohibited and may be subject to disciplinary action.
4. The use of the Department's seal, uniform, equipment, property, canines or vehicles on private social media platforms should not be done in a manner that reflects conduct unbecoming, would undermine the public's trust in the Department and its personnel, that tarnishes or demeans the [Department's core values](#) or [brings discredit upon the Department or its employees](#); or would otherwise suggest Department enforcement or promotion of private enterprises, events or political candidates.
5. As outlined in Directive 518.01 *Uniform*, personnel may not download, use, disseminate, publish or copy the seal, markings, logo or badge on any social media site for personal use without written permission from the Chief of Police or designee.
6. The Department reserves the right to review information created, transmitted, downloaded, exchanged or discussed on social media platforms or other electronic communications when:
 - a. Posted in the public domain.
 - b. Brought to the attention of Department personnel and provided by employees or civilians.
 - c. Part of a criminal or internal affairs investigation.
7. Employees who believe they have been subject to inappropriate online conduct are encouraged to report the misconduct to the Office of Professional Responsibility. Employees who have witnessed prohibited online conduct should report the conduct to their chain of command.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 20, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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536.01 Virginia Uniform Summons

I. Policy

The issuance of a Virginia Uniform Summons (VUS) is governed by the Code of Virginia and is generally an alternate form of arrest. The offense committed and the discretion given to an arresting officer determines whether an arrestee must be released on a summons or taken before a magistrate. Each employee is responsible for knowing when to utilize a VUS as well as its distribution.

II. Procedure

- A. Virginia Uniform Summons (VUS) – A VUS is used by law enforcement officers throughout Virginia, in most traffic and misdemeanor related offenses, to capture identifying information about an accused and the violation committed. Additionally, it allows a defendant, upon his written promise to appear in court, to avoid a full custodial arrest. A VUS should be filled out by the officer as completely as possible and include the following:
1. Check the appropriate General District Court designation – Traffic, Criminal, or J&DR.
 2. The court date on a VUS should be set at a minimum of two weeks from the date of issue.
 3. Include the appropriate Virginia and/or Arlington County Code section and describe the charge - only one charge per VUS is permitted.
 4. Enter the Virginia Crime Code for any jailable offense. These codes are available online from the Virginia Sentencing Commission.
 5. The violator is required by law to sign the VUS as a promise to appear in court. Violators refusing to sign a VUS must be taken before a magistrate.
 6. If the offense is prepayable the appropriate box on the VUS should be checked.
 7. All applicable information, including the accused's name, address, vehicle information, jurisdiction code, date/time of offense, location of offense, arrest location, officer name/badge, case number etc., should be included on the VUS.
 8. The mailing address on the VUS should be confirmed by the officer prior to providing a copy of the VUS to the violator.

B. Issuance of a Virginia Uniform Summons in Lieu of Arrest

1. Traffic Violations - In accordance with [Virginia Code § 46.2-936](#) and § 46.2-945 officers are required to issue a VUS instead of making an arrest and taking the accused before a magistrate for a violation of any provision of Title 46.2 that is punishable as a misdemeanor. Virginia Code § 46.2-937 states that for the purposes of arrest, traffic infractions shall be treated as misdemeanors and the duties of the arresting officer shall be the same for traffic infractions as for misdemeanors. An officer shall arrest and bring the accused before a magistrate under the following circumstances stated in Virginia Code § 46.2-940 and § 46.2-936:
 - a. The arresting officer believes that the accused has committed a felony; or
 - b. The arresting officer believes that the accused will disregard a summons; or
 - c. The accused refuses to give a written promise to appear.
 - d. The accused is arrested for driving a commercial motor vehicle in violation of [Virginia Code §§ 46.2-341.24, 46.2-341.24\(B\)](#), or 46.2-341.31.

Except for Hit & Run accidents, traffic offenses charged on a VUS do not need a case report, even if the offense carries a potential jail sentence.

2. Criminal Violations - All arrests for non-traffic crimes occurring in Arlington County must have an associated case report and arrest report regardless of whether an arrestee was released on a summons or taken into custody and brought before a magistrate. An arrest report must be completed for each arrestee.
 - a. Misdemeanors Committed in Officer's Presence – When an officer arrests a person for a misdemeanor committed in their presence, Virginia Code § 19.2-74 requires that the accused be released on a summons. In certain circumstances, however, a person must be taken into custody and brought before a magistrate. These circumstances are:
 - (1) For Class 1 or 2 misdemeanors, or any other misdemeanor for which the accused may receive a jail sentence; and
 - (a) The accused refuses to sign the summons, or
 - (b) The accused fails or refuses to discontinue the unlawful act, or
 - (c) The officer believes the accused is likely to disregard the summons, or
 - (d) The officer believes the accused is likely to harm himself or another person.
 - (2) For Class 3 or 4 misdemeanors, or any other misdemeanor for which the accused cannot receive a jail sentence; and

- (a) The accused refuses to sign the summons, or
 - (b) The accused fails or refuses to discontinue the unlawful act.
- (3) An arrest for public intoxication (Virginia Code § 18.2-388, Arlington County Code §17-7)
- (4) An arrest for remaining at a place of riot or unlawful assembly (Virginia Code §18.2-407) may be handled with a summons or custodial arrest, at the officer's discretion.
- b. Misdemeanors Not Committed in Officer's Presence – Arrests for misdemeanor offenses not committed in the officer's presence require that the accused be taken into custody and brought without delay before a magistrate. Under the following circumstances, however, an arrestee may be released on a Virginia Uniform Summons:
 - (1) A misdemeanor shoplifting violation. (VA Code § 19.2- 81.G)
 - (2) An officer may issue a VUS for the following offenses, to a person who has been suspected of driving while intoxicated and who has been taken to a medical facility for treatment or evaluation: (VA Code § 19.2-73)
 - i. [§ 18.2-266. Driving motor vehicle, engine, etc., while intoxicated, etc.](#)
 - ii. [§ 18.2-266.1. Persons under age 21 driving after illegally consuming alcohol; penalty.](#)
 - iii. [§ 18.2-272. Driving after forfeiture of license.](#)
 - iv. [§46.2-341.24. Driving a commercial motor vehicle while intoxicated, etc.](#)
 - v. [§ 18.2-268.3 \(A\) or \(B\). Refusal of tests; penalties; procedures.](#)
 - vi. [§ 46.2-341.26:3 \(A\). Refusal of tests; issuance of out-of-service orders; disqualification.](#)
- 3. Juvenile Violations - Refer to ACPD Manual section *522.05 Juvenile Offenders*, IV.E. Virginia Uniform Summons for detailed procedures regarding juveniles and release on a Virginia Uniform Summons in lieu of filing a petition.
- C. Probable Cause Hearing - If an arresting officer brings the accused before a magistrate, the magistrate must then decide whether probable cause exists that the accused committed the misdemeanor or traffic infraction. If the magistrate does not find probable cause and a warrant or summons is not issued, the person arrested must be released. An officer may not then issue a VUS for the charge for which the magistrate did not find probable cause.
- D. Search Incident to Citation –
 - 1. Traffic Violation Only - Absent justifiable officer safety concerns, probable cause, or consent, an officer may not conduct a search of a person or their

vehicle incident to the issuance of a VUS for a traffic violation only.

2. Misdemeanor Arrests – A search incident to the issue of a summons for a misdemeanor criminal offense is reasonable if it can be articulated that it is related to officer safety or the preservation of evidence.

- E. Prepayable Offenses – A VUS contains a box that an officer may check, when applicable, to advise a defendant that they may avoid coming to court if all the instructions on the defendant's copy of the VUS are followed. The General District Court also provides the department with Virginia Prepayable Offenses Information Sheets that should be offered to a defendant that provides notice that they may plead guilty, waive their right to trial, and pay the applicable fine(s) and fee(s) prior to trial in order to avoid a court appearance. The defendant's copy of the VUS also contains pretrial waiver and prepayment instructions, but requires the offender to call the clerk's office for further instruction.

Fines and processing fees, related to prepayable offenses, are published by the [Supreme Court of Virginia as Uniform Fine Schedules known as Rule 3.B:2. Traffic Infractions and Rule 3.C:2. Non-Traffic Prepayable Offenses](#).

1. Traffic - The [Code of Virginia §16.1-69.40:1](#) allows a person charged with a traffic offense listed as prepayable in the Uniform Fine Schedule to prepay fines and costs without a court appearance whether or not they were involved in an accident. Exceptions to this rule are as follows:
 - a. Indictable offenses.
 - b. Operation of a motor vehicle while under the influence of intoxicating liquor or a narcotic or habit-producing drug, or permitting another person, who is under the influence of intoxicating liquor or a narcotic or habit-producing drug, to operate a motor vehicle owned by the defendant or in his custody or control.
 - c. Reckless driving.
 - d. Leaving the scene of an accident.
 - e. Driving while under suspension or revocation of driver's license.
 - f. Driving without being licensed to drive.
2. Criminal Offenses – The Code of Virginia [§16.1-69.40:2](#) and [§19.2-254.2](#) allows a person charged with a misdemeanor criminal offense, listed as prepayable in the Uniform Fine Schedule, to prepay fines and costs without a court appearance. Exceptions to this rule are as follows:
 - a. Indictable offenses.
 - b. Class 1 or Class 2 misdemeanors.
 - c. Offenses which involve moral turpitude.
 - d. Any offenses involving injury to persons.
 - e. Any offense punishable by incarceration or by a fine of more than \$500.

3. Prepayable Offenses Involving an Accident - A person charged with a traffic offense that is listed as prepayable in the Uniform Fine Schedule may prepay his fines and costs without court appearance whether or not he was involved in an accident. In order to avoid inconveniencing those who will be subpoenaed as witnesses to an accident, it is important to determine, if possible, prior to the date set for hearing of the offense whether the person charged intends to plead not guilty thereby requiring the presence of witnesses for a trial. To further this goal, the following procedures will be followed to assist the District Court in processing prepayable violations related to traffic accidents:
 - a. Officers must provide a Virginia Prepayable Offenses Information Sheet to any driver who is issued a VUS as a result of an accident and explain the section regarding pleading not guilty to charges stemming from an accident.
 - b. If there are witnesses to the accident, the officer should complete a [DC-325, REQUEST FOR WITNESS SUBPOENA](#) and leave the court date and time and the section entitled, "Requested By" blank. The officer then attaches the form to the Court copy of the defendant's VUS. The court encourages officers to consider their evidence and only subpoena witnesses in those cases where witnesses are essential to the case.
 - c. When the clerk receives the Virginia Prepayable Offenses Information Sheet from the defendant and the block indicates that they intend to plead not guilty, the clerk's office would then:
 - (1) Retrieve the DC-325 form attached to the defendant's Virginia Uniform Summons, enter the court date and sign the DC-325 form for service on the witnesses.
 - (2) If there is not sufficient time to allow for reasonable notice by mail to the witnesses, the clerk would reschedule the defendant's case for the next available date of the charging officer and mail it to the witnesses.
 - (3) The clerk would also generate a Notice of New Trial Date that would advise the defendant and the officer of the new court date.
 - d. If the defendant has not sent in their Virginia Prepayable Offenses Information Sheet by the original court date, indicating their intent to appear and plead not guilty, one of the following outcomes should occur:
 - (1) The defendant has prepaid his charge and the case is completed.
 - (2) The defendant does not appear; the court tries the defendant in his absence based on the law enforcement officer's testimony and evidence.
 - (3) The defendant appears and pleads guilty; the case is tried and concluded.
 - (4) The defendant appears and pleads not guilty and a new trial date

is set.


The court encourages law enforcement officers to set accident cases far enough in the future to allow for the defendant to respond within seven days of receiving the VUS regarding their intent to enter a plea of not guilty and also to provide sufficient time for the clerk to complete and mail the [DC-326, SUBPOENA FOR WITNESSES](#) and give the witnesses adequate notice of the court date. It is suggested that thirty days should be sufficient time to accommodate these actions.

- F. Distribution of Virginia Uniform Summons - Special Services Unit, Customer Service Counter personnel are responsible for supplying Virginia Uniform Summonses to officers. A stockpile of VUS books are maintained at the front counter and available for distribution 24-hours. Officers who take a VUS book must record their Name, DID, and the serial number of the VUS book in the VUS logbook that is maintained by the Customer Service Counter. Customer Service Counter personnel will transfer all VUS logbook information into LERMS in order for the department to keep track of each VUS. The Property Management Unit is responsible for ordering VUS's and for the bulk storage and security of Virginia Uniform Summonses.
- G. Processing Virginia Uniform Summonses – All Court copies of issued VUS's will be forwarded to the Records Management Unit (RMU) for processing. The RMU is responsible for:
 - 1. Entering all issued and voided Virginia Uniform Summonses into LERMS.
 - 2. Destroying all voided Virginia Uniform Summonses.
 - 3. Forwarding copies of any traffic or criminal related VUS, issued to an adult, to the Clerk of the General District Court.
 - 4. Forwarding copies of any traffic or criminal related VUS, issued to a juvenile, to the Clerk of the Juvenile and Domestic Relations (J&DR) Court.
- H. Virginia Uniform Summons Accountability
 - 1. Officers – All issued VUS books are recorded in LERMS by serial number. Employees are responsible for each VUS book they sign out, although they may transfer a VUS issued to them to another officer when necessary. The Court copy of a completed VUS will be turned in at the end of an officer's shift, deposited in the RMU folders located in the Roll Call Room or brought directly to the Records Management Unit.
 - a. Warnings - A VUS which is issued as a warning will have "WARNING" printed across the top of the page.
 - b. Voided - A VUS which is voided will have "VOID" printed across the top of the page. All voided Virginia Uniform Summonses must include the officers DID and be signed by a supervisor. The Court copy of any voided VUS will be delivered to a supervisor or the Customer Service Counter and forwarded to the Records Management Unit. Once a VUS has been issued to an arrestee it can only be voided by authority of the Commonwealth Attorney.
 - c. Audits - The Operations Division Commander will conduct a VUS audit every six months. Any unused or excess Virginia Uniform Summonses

will be returned to the Records Management Unit.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 4, 2017	Amends/Supersedes: March 15, 2011 September 22, 2010 July 1, 2009 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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541.05 DUI Arrests

I. Policy

Enforcement of Driving Under the Influence (DUI) is a complex and demanding law enforcement responsibility. The objective of DUI enforcement is to detect, arrest, and sustain a conviction of all persons charged with driving or operating a vehicle under the influence of alcohol or drugs. This is accomplished by a thorough investigation and an officer's ability to clearly articulate the gathering of evidence and probable cause in support of a decision to arrest for driving under the influence.

II. Definitions

- A. Preliminary Breath Test (PBT) - A pre-arrest breath test administered during the investigation of DUI to obtain an indication of a person's blood alcohol concentration (BAC). The results of the test or refusal to submit to it may not be used as evidence in any subsequent prosecution for DUI. The PBT results may be used to show probable cause for arrest during a suppression hearing. The officer should, however, consult with the prosecutor before testifying to the PBT results.
- B. Implied Consent – Under the *Implied Consent* statute ([Code of Virginia §18.2-268.2](#)), notification to a DUI suspect that any person who operates a motor vehicle upon a public highway in the Commonwealth has, as a condition of such operation, given consent to have samples of breath, blood, or both blood and breath taken for chemical tests to determine the alcohol and/or drug content of his blood, and unreasonable refusal to do so constitute grounds that can lead to the revocation of the privilege of operating a motor vehicle on the highways of this Commonwealth.

The Implied Consent law, does not apply when driving on private property. Also, the Commonwealth does not proceed under the Implied Consent statute in a DUI related fatal accident. Therefore, Implied Consent should not be read to a suspect in a fatal accident case.

- C. Evidentiary Breath Test (EBT) - A chemical analysis of a breath sample to determine the blood alcohol concentration of a person arrested for driving while under the influence. The results of this test can be used as evidence in any subsequent prosecution for DUI.

- D. Blood Test - The withdrawal of a sample of blood for chemical analysis from a person arrested for driving while under the influence, to determine the alcohol or drug content of the blood if the breath test is not available. The results of this test can be used as evidence in any subsequent prosecution for DUI.

III. Procedure

- A. Reasonable Suspicion - Officers must be able to clearly articulate the reasonable suspicion (i.e. erratic driving behavior, accident, semblance of intoxication) for stopping any driver who is suspected of driving or operating a vehicle while under the influence.

B. Pre-arrest Screening

1. Initial Interview - When a driver is stopped for suspicion of DUI, an officer will conduct an initial interview in an attempt to identify any indication of alcohol impairment. The initial interview also provides officers the opportunity to identify individuals who may be suffering from a medical problem that produces symptoms similar to alcohol impairment.

During the initial interview, the officer should ask questions, which at a minimum, indicates the driver has consumed intoxicants and/or medication, and whether the driver is physically able to perform any field sobriety tests.

2. Field Sobriety Tests - Field sobriety tests focus on those dexterities essential for safe driving. They are identified as the capability to divide attention between tasks, balance, coordination, and information processing. The following tests have been accepted by the Arlington Courts:

- Alphabet test.
- Countdown test.
- Finger Count test.
- Walk and Turn test.
- One Leg Stand test.
- Horizontal Gaze Nystagmus (Requires specialized training to administer).

A minimum of three (3) tests should be administered when conducting a DUI investigation. These should include walk and turn, one leg stand, and at least one additional test. Ideally, an officer should routinely conduct the same tests in the same order in each instance of a DUI investigation for purposes of clarity and recollection in courtroom testimony.

3. Preliminary Breath Test - After administration of the initial interview and field sobriety tests the officer must offer the suspect a PBT, if available, prior to making an arrest for DUI. The Code of Virginia requires that the officer advise the person:

- Of the right to take the test if the equipment is available.
- Of the right to refuse the test.

- The results of the test nor the refusal to take it can be used in a DUI prosecution.
- Of the right to see the test and its results.

A preliminary breath test should not be conducted prior to the administration of any field sobriety tests or after an arrest for DUI has taken place.

C. Arrest Procedure

1. Traffic Stop - When a DUI arrest is made on a public roadway, the arrestee should immediately be read the Implied Consent law and then transported to the Arlington County Detention Facility for a breath test.

Arrestees must voluntarily consent to provide breath or blood samples (if breath test is not available) for analysis and should complete a Consent to Search form.

The arresting officer should stay with the arrestee, if possible, for chain of custody issues. If applicable, the arresting officer should note the names of attending medics and what medications, if any, were administered to the arrestee.

Once a person is placed under arrest for DUI, the arresting officer should handcuff the suspect with his/her handcuffs. The handcuffs, when possible, should remain on the arrestee while in booking until the arresting officer arrives at the jail and removes the handcuffs.

The arresting officer must be able to identify his or her handcuffs either by serial number or other markings, such as a name or administrative number.

The arresting officer should check the transport vehicle, before and after transport, for alcohol or other substances and note whether or not other arrestees were transported in the same vehicle or compartment. To avoid any chain of custody issues, the arresting officer must place the arrestee in handcuffs, follow the transporting wagon or prisoner transport car to booking, and then remove the arrestee's handcuffs.

The arrestee should be taken before a magistrate only after the completion or refusal of a breath or blood test. [ACPD Directive 522.05 Juvenile Offenders](#) provides additional guidance in reference to juvenile offenders.

In cases where the DUI suspect is operating a Commercial vehicle, refer to the [Code of Virginia §46.2-341.24, Driving a commercial motor vehicle while intoxicated, etc.](#) Handle the arrest as stated in **III. Procedure** of this directive; however, know that there are different penalties for a DUI driver with a BAC of .04 and a BAC of .08 and greater. If the commercial vehicle driver has a BAC between .04 and .08, the driver may be charged with a Class 3 misdemeanor. If the commercial vehicle driver has a BAC of .08 or greater, the driver will be charged with a Class 1 misdemeanor.

The officer should complete any paperwork routinely associated with a criminal arrest and show the magistrate a copy of the following:

- a. The Certificate of Breath Alcohol Analysis.
- b. The Criminal Complaint form - include the following information:
 - Reason for the stop.
 - Field tests given and overall performance.
 - Results of preliminary breath test.
 - Advisement of Implied Consent.
 - BAC result.
- c. The arrestee's DMV driver transcript.
- d. The court copy of a completed *Virginia Uniform Summons* (VUS).
- e. The top two copies of the *Administrative License Suspension* form if the BAC is greater or equal to .08 or a refusal.

The magistrate will keep a copy of the criminal complaint form, the court copy of the VUS and the *Administrative License Suspension* form.

Upon issuance of a warrant for DUI, or refusal, an officer must complete a *Notice of Administrative Suspension of Driver's License/Driving Privilege* form and place the arrestee's driver's license in a white envelope with the arrestee's return mailing address. Officers will not take possession of out of state licenses for purposes of administrative suspension. The arresting officer shall forthwith provide the ECC with a copy of this form and the ECC will electronically transmit this information to the DMV.

The arresting officer must also complete a DUI report along with a copy of the *Certificate of Breath Alcohol Analysis*, (white and yellow copies), *Notice of Administrative Suspension of Driver's License/Driving Privileges* and the operational checklist for the EBT device or blood checklist.

The arresting officer will also turn in a copy of the VUS (yellow copy) and a case report documenting the arrest to the ACPD Records Management Unit.

The arrestee should be provided with a copy of the DUI warrant, *Certificate of Breath Alcohol Analysis* (green copy if applicable), the *Notice of Administrative Suspension of Driver's License/Driving Privilege* form and information regarding the return of the arrestee's vehicle and any property held for safekeeping. If blood was drawn, the laboratory request form for the arrestee's sample of blood should also be given.

2. Accident – [Code of Virginia §19.2-81\(C\) Arrest without warrant authorized in certain cases.](#), includes the definition of an accident as:

“A reasonable location where a vehicle or person involved in an accident has been moved at the direction of a law enforcement officer to facilitate the clearing of the highway or to ensure the safety of the motoring public.”

In addition to the other facts and circumstances, [Code of Virginia §19.2-81\(D\)](#) provides:

“Such officers may, within three hours of the alleged offense, arrest without a warrant at any location any person whom the officer has probable cause to suspect of driving or operating a motor vehicle, watercraft or motorboat while intoxicated in violation of [§18.2-266, \(Driving motor vehicle, engine, etc., while intoxicated, etc.\)](#), [§18.2-266.1 \(Persons under age 21 driving after illegally consuming alcohol; penalty\)](#), [§46.2-341.24](#), or subsection B of [§29.1-738 \(Driving a commercial motor vehicle while intoxicated, etc.\)](#), or a substantially similar ordinance of any county, city, or town in the Commonwealth, whether or not the offense was committed in such officer's presence. Such officers may, within three hours of the alleged offense, arrest without a warrant at any location any person whom the officer has probable cause to suspect of operating a watercraft or motorboat in violation of an order issued pursuant to [§29.1-738.4 \(Additional penalty for reckless or intoxicated operation of a watercraft or motorboat.\)](#), whether or not the offense was committed in such officer's presence.

When a DUI suspect is involved in an accident, the officer may arrest at the scene or at any medical facility located in Arlington County. The arrest must occur within three hours of the accident for the Implied Consent law to apply. After three hours have passed from the time of the alleged offense, the Implied Consent law is inapplicable and breath or blood samples should be obtained based on a search warrant.

A VUS may be issued for DUI when exigent circumstances prevent transportation of an arrestee to the Detention Facility, such as in the case of a serious accident where the arrestee is the injured party.

Within three hours of the alleged offense, an officer may arrest without a warrant at any location any person whom the officer has probable cause to suspect of driving or operating a motor vehicle, watercraft or motorboat while intoxicated. However, if a suspect involved in an accident flees the scene prior to the arrival of police and is not at a medical facility, a warrant must be obtained from the magistrate prior to the arrest. [ACPD Directive 542.01 Motor Vehicle Accidents](#) provides additional guidance in reference to motor vehicle accidents.

D. Chemical Tests

1. Evidentiary Breath Test (EBT) - A breath or blood test is obtained under the Implied Consent statutes. The statutes provide that the implied consent applies when the suspect is arrested within three hours of the offense (the driving). Be certain to record the time of observation of the driving and the time of the arrest. In an accident case, get the time of the accident from the suspect and any witnesses.
 - a. Location - Persons who provide a sample of breath for chemical analysis should be transported to the Detention Facility.

- b. Operator Duties - EBT operators must be licensed by the Department of Criminal Justice Services Division of Forensic Science of the Commonwealth of Virginia. It is the responsibility of the EBT operator to complete the operational checklist, logbook, and Certificate of Breath Alcohol Analysis. A copy of the Certificate of Breath Alcohol Analysis must be given to the individual tested and the individual's signature obtained, or refusal to sign noted, on the yellow copy. The remaining copies are given to the arresting officer.

EBT operators shall notify the officer responsible for preventive maintenance of any instrument malfunctions or shortage of supplies. In the event of an instrument malfunction, the arresting officer should maintain custody of the arrestee and insure the arrestee's transport to an approved facility with EBT equipment. An EBT operator will respond to that location to conduct testing of the arrestee. When no ACPD EBT operators are available to conduct testing, an EBT operator from another jurisdiction may conduct the test if licensed by the Department of Criminal Justice Service, Division of Forensic Science, of the Commonwealth of Virginia.

2. Blood Tests

- a. Location - Persons providing a sample of blood for chemical analysis should be transported to an approved medical facility for collection of the blood sample.
- b. Duties of Arresting Officer - The procedures for taking samples of blood for chemical analysis to determine the alcohol or drug content of the blood are governed by the Code of Virginia. The results of chemical analysis of blood samples are sent directly to the Clerk of the General District Court. ACPD Directive [540.04 Blood Samples in Fatal Accidents](#) provides additional guidance in reference to blood tests.

The arresting officer is responsible for ensuring that the blood checklists are filled out appropriately with an emphasis on the following: identification of the registered nurse, doctor or graduated laboratory technician drawing the blood; identification of the arm used for blood withdrawal; what the arm was cleansed with (note the sterile packaged needle/syringe), and the chain of custody of the blood sample.

- c. Blood Test for Driving Under the Influence of Drugs - A person who is suspected of driving under the influence of drugs should be given a blood test under the Implied Consent statute.

If the suspect is taken to a D.C. hospital, do not proceed under the Implied Consent statute. Instead, have blood drawn by consent under exigent circumstances with exceptions to warrant requirements. [ACPD Directive 540.04 Blood Samples in Fatal Accidents](#) provides additional guidance.

3. Refusal - If a person unreasonably refuses to take any chemical test, the arresting officer shall inform the DUI arrestee of the possible penalties for refusing to submit to an evidentiary blood or breath test. The officer shall read the form provided by the Office of the Executive Secretary of the Supreme Court to the arrestee to transmit this information, and shall initial, date, and note the time of the refusal on the form the form to acknowledge that it has been read to the arrestee.


When a person involved in a fatal or serious injury accident refuses to submit to chemical tests of their blood, is physically unable to take a test or the Implied Consent law does not apply, a search warrant for samples of blood should be obtained.

- E. Miranda warning - A person under arrest must be advised of their rights prior to any custodial interrogation. However, questions related to a motor vehicle accident report do not require a Miranda warning as long as the individual is not in custody or the questions are administrative in nature.

The administration of a breath test or the taking of blood for chemical analysis are forms of physical evidence collection. An arrestee has no right to counsel prior to a hearing by a magistrate.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 24, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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510.01 GOALS AND OBJECTIVES

I. Policy

The annual budget process shall be the department's primary means of identifying and formally proposing its goals and objectives for the coming fiscal year. The budget process shall also serve as the department's primary means to assess progress made toward the attainment of the aforementioned goals and objectives.

In addition, the department shall review and assess agency goals and objectives through various secondary forums, including periodic discussion of related matters at Command Focus Group meetings, as well as the publication of assorted memoranda and/or reports.

II. Procedure

A. Budgetary Review of Goals and Objectives - During preparation of the Department's proposed annual budget, Division Commanders shall conduct an internal review of all programs and functions within their commands. During this divisional review, the Division Commanders shall solicit input from all personnel levels, including formal recommendations and evaluations from Section and District Commanders.

Division Commanders shall then direct preparation of budget proposal documents for their respective commands, utilizing the County's established budget procedures. Where applicable, and to the extent that is consistent with County procedures, the budget proposal documents shall:

- Identify goals and objectives, including anticipated benefits.
- Identify anticipated changes in workload demand, to include the impact of population growth and/or enhanced levels of service.
- Identify appropriate personnel staffing levels, capital improvements, and/or equipment needs for the program or function in question.
- Make recommendations for reallocations and procurements, as appropriate, including projected cost estimates.
- Recommend changes, upgrades, reductions, or modifications to existing programs or functions, where beneficial.
- Provide statistical measures, benchmarks, and estimates.

- Review and/or characterize past performance, placing that performance into a multi-year context.

NOTE: Actual reallocation of resources, as well as modifications of existing programs or functions, shall not be undertaken without the approval of the Chief of Police and/or appropriate Division.

- B. Secondary Review of Goals and Objectives - In addition to the above-described budget documents, the Chief of Police may periodically publish, or direct publication of, other documents outlining short-term goals and objectives for the Department. These documents may not require the detailed analysis found in budgetary documents.

The Chief of Police also assesses progress toward departmental goals and objectives in a year-end report that he submits to the County Manager. This report lists the agency's notable accomplishments of the past year and offers a subjective assessment of the condition and progress of selected Police Department programs and/or problem areas.

Finally, the Department's Command Focus Group, comprised of all agency personnel the rank of Captain or higher, meets on a regularly scheduled basis to discuss issues of managerial importance. Among these issues are various topics related to long-term and short-term departmental goals and objectives.


- C. Strategic Management Plan (SMP) - The Department also publishes a SMP that addresses departmental workload, needs, and strategies over a five-year period. The factors considered in the SMP include, but are not limited to:

- Population projections.
- Demographic profiles (education, income, size of households, etc.).
- Economic outlook.
- Planned infrastructure development.
- Anticipated calls for service volume.
- Anticipated crime rates.
- Growth in non-traditional, service-oriented departmental workload.
- Recommended staffing levels.
- The Department's anticipated equipment and technology needs.
- The Department's capital improvements and construction needs.
- Desirable new programs and initiatives.

In addition to drafting the basic 5-year document, the Office of Professional Responsibility, in conjunction with the Command Staff, shall review the plan each year and publish a written report of its findings, including recommendations, prior to the County's budget preparation campaign to aid the Department in developing budget priorities.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 24, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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511.01 Notifications and Calls

I. Policy

The Chief of Police, the County Manager, and/or the Commonwealth's Attorney shall be promptly notified of certain major or significant events that occur within or outside Arlington County.

II. Procedure

A. Chief of Police - It shall be the responsibility of the Watch Commander to notify the Chief of Police of the occurrence of any of the following incidents:

1. Major emergencies, to include:

- Disasters covered by the County's Comprehensive Emergency Management Program (CEMP).
- Riots or civil disorder within the County.
- Nuclear or other national emergency alerts.
- Plane crashes in Arlington County.
- Any of the above occurring in a neighboring jurisdiction, which by proximity, may require the assistance or committal of personnel.

2. Significant crimes within Arlington, to include:

- Homicide of a prominent person, or in the family thereof.
- Fatal accident of a prominent person, or in the family thereof.
- Robbery, larceny, assault or other significant offense committed against a prominent person.
- Robbery, burglary or larceny involving an unusually large amount of property.
- A crime alleged to have been committed by a police employee regardless of the location of the incident.


3. Serious injury or death of:

- An Arlington Police Department employee.
- An Arlington County department or division head, a member of the County Manager's Office, or an elected official.
- A nationally prominent person, when the injury or death occurred in Arlington.
- Any person, when the injury or death results from action by a member of the Police Department.

4. Significant arrest or police incident involving:
 - a. Any Arlington County department or division head, member of the County Manager's Office, or elected County official.
 - b. Any executive level state or federal employee or official, key diplomatic official or nationally prominent person, if the incident or arrest occurs in Arlington.
 - c. A member of the Police Department, regardless of the arrest location.
 5. Any situation that has gone beyond the control of the shift commander.
- B. Police Department Deputy Chiefs - Deputy Chiefs shall be notified of the following occurrences:
1. Any major emergency listed under II.A.1 (all Deputy Chiefs to be notified).
 2. Any crime alleged to be committed by police employee (notify only the Deputy Chief under whose command the suspect employee works).
 3. Any serious injury or death under II.A.3.
 4. Any situation that has gone beyond the control or authority of the shift commander.
 5. Any situation under II.A., if the Chief cannot be contacted. Deputy Chiefs should be called in the following order: Ops, CID, SMD.
- C. County Manager - In the absence of administrative regulations specifying when the County Manager is to be notified or contacted, the decision to notify the County Manager for those incidents or offenses enumerated above shall rest with the Chief of Police or acting Chief of Police.
- In the event that neither the Chief of Police nor any of the Deputy Chiefs can be reached in response to one of the situations described in sub-section II.A, the County Manager shall be called. If the County Manager is unavailable, the Deputy County Manager shall be contacted.
- D. Commonwealth's Attorney - At the discretion of the highest ranking official on the scene, the Commonwealth's Attorney may be immediately notified when death or a life threatening injury is sustained by any individual as the result of a criminal act, industrial accident, traffic accident, or suspicious occurrence (death only). If notification does not occur immediately, it shall occur no later than 0900 hours on the next regularly scheduled work day.
- E. Notification Responsibility - The responsibility for assuring that the Chief of Police, acting Chief of Police, and division commanders are notified in accordance with the policy above, shall rest with the Watch Commander. He may delegate the process to a subordinate or to the Emergency Communications Center. All necessary phone numbers shall be kept by the Emergency Communications Center.



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511.02 Personnel Actions

I. Policy

The personnel program will be administered in a fair, consistent, and impartial manner, in accordance with applicable County, state and federal regulations. Recognition and reward for exceptional performance is as much a part of the personnel actions process as correcting deficiencies and disciplinary action. It is the responsibility of all command and supervisory personnel to recognize and commend exceptional performance, to utilize counseling and training as tools for correcting deficiencies, and when circumstances require it, to recommend appropriate forms of discipline.

II. Definition

Personnel actions - "Those steps taken to recognize, reward, develop, instruct, or correct employees or employee actions," and shall include commendation, counseling, training, and disciplinary action.

III. Procedures

- A. Counseling and Training - Counseling, both formal and informal, and training should be utilized, when appropriate, as methods of improving employee performance and for correcting minor behavioral deficiencies.
- B. Disciplinary Action - The grounds for major disciplinary action, including dismissal, may result from a single serious offense or an accumulation or pattern of less serious offenses, whether related or unrelated to each other. The County may take disciplinary action under this section irrespective of criminal charges which exist or are pending or of the outcome of any criminal charges against a County employee.
- C. Commendations & Awards - Supervisory personnel should recognize and commend an employee's exceptional performance through the use of the following forms of commendation and awards:
 1. Oral commendations - public recognition by a supervisor for a good action or a job well done.
 2. Letters of commendation - letters acknowledging the good work of an employee. The following steps are to be followed regarding letters/memorandums of commendation:

- a. All requests for letters of commendation are to be forwarded to the Office of the Chief for preparation including citizen and in-house requests.
 - b. Letters of commendation will be prepared for the appropriate Deputy Chief's signature.
 - c. Prepared commendation letters will be given to the appropriate Division's Administrative Assistant for signature by the Deputy Chief and returned to the Office of the Chief for copying. The Division Administrative Assistant will ensure that the letters and copies are initialed by the commendation letter recipient and distributed as follows:
 - Original to recipient
 - Copy to Section/District Captain
 - Copy to Police Personnel
 - d. Letters/memorandums received by the Office of the Chief—from citizens and in-house personnel recognizing sworn/non-sworn personnel will be acknowledged in writing by the Chief of Police.
 - e. Letters will be prepared by the Office of the Chief for signature by the Chief of Police to the author of the commendation thanking him/her for the letter/memorandum. One copy will be retained for the Chief's commendation letters file and the original delivered to the author.
3. Awards - The following awards are authorized:
- a. Valor Awards - recognition for performing a valorous act above and beyond the call of duty. (Sworn Employees only)
 - b. Life Saving Award - recognizes an employee who through medical intervention is responsible for saving a life. The action may include an activity such as cardiopulmonary resuscitation or other actions involving the employee's assistance.
 - c. The Purple Star - recognizes an employee who sustains a significant injury or wound in the diligent and professional performance of duty. (Sworn Employees only)
 - d. Meritorious Action Award - recognizes superior action by a sworn employee in response to a specific situation.
 - e. Meritorious Service Pay - The following types of Meritorious Service Pay are available, as outlined in Arlington County's [Administrative Regulation \(A.R.\) 2.7](#)
 - (1) Merit step increases are within-grade pay increases for outstanding service as recommended by the Chief of Police and approved by the County Manager.

- (2) Merit awards are one-time monetary distributions of a certain amount. Any police department employee or group of employees may be nominated for a Merit Award. A nomination must be performance-based and should recognize exceptional performance involving either a single incident or several incidents over a period of time.
 - f. Principles of Government Service Awards Program - recognizes individuals and groups whose contributions further the High Performance Organization objectives either through their demonstrated high achievement or through a specific act or acts which exemplify Arlington County's Principles of Government Service.
 - g. Service Organization Award - Outside organizations, public or private, or other County departments which wish to commend or honor an employee for outstanding service to the community.
4. Guidelines for Awards - The police department has developed an Awards Committee responsible for submitting to the Chief a list of employees whose actions from the prior calendar year make them eligible to receive a departmental award. Each member of the committee has an equal vote. The committee will be made up of representatives from the various sections of the Police Department.


When nominating employees for consideration of an award, the appropriate pre-printed nomination form describing the incident shall be forwarded to the Awards Committee promptly via the Human Resources Management Section. The written report should include the pertinent facts and a description of the incident.

The above procedure should be followed for awards for Valor, Purple Star, Meritorious Action, Police Service and Life Saving. The Awards Committee will also receive nominations for the Principles of Government Service Award. An employee at any level of the organization can nominate an individual for any award.

The awards are presented for achievements during a specific calendar year. The Awards Committee will review nominations every six months. The Awards Committee will recommend an award based on the magnitude and the impact of the nominee's contribution to advancing the Principles of Government. There are four categories of Principles of Government awards. Each award provides options to receive the award in the form of cash or compensatory time. The recommendation of the Awards Committee will be forwarded to the Chief of Police prior to a scheduled ceremony date. A complete list of the different amounts of money for each can be found in the Awards Committee guidelines. A list of all award recipients will be published.



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511.06 Employee Assistance Program

I. Policy

The Arlington County Police Department bears a public duty to require that its officers and employees are fit for duty. In addition, the department maintains a genuine interest in the emotional welfare of its employees even where no immediate threat to job performance exists. Therefore, the department shall refer at-risk employees to appropriate screening and/or intervention resources whenever the employees' job performance appears threatened by emotional difficulties. Further, in the absence of job performance issues, the department shall encourage employees' voluntary use of such services, as appropriate.

However, this directive does not obligate the department to utilize the services of EAP in lieu of other medical or psychological resources, nor is it the primary directive wherein an employee's fitness for duty is concerned. Although some limited guidance concerning fitness for duty is provided in this directive, primary fitness for duty guidelines are found in Manual section *511.05 Fitness for Duty & Early Intervention*.

II. Purpose

The purpose of this directive is to provide supervisors and employees with a basic understanding of the County Government's Employee Assistance Program (EAP), and to establish procedures for the use of that program. The Arlington Employee Assistance Program (EAP) has been designed specifically to serve the needs of Arlington County employees, and accordingly shall be utilized by the department as its primary referral resource for initial, non-emergency employee referrals.

III. Procedure

A. Nature of EAP Services

EAP provides referral and/or intervention services for such problems as alcohol and drug abuse, marital discord, family conflict, health problems, financial or legal troubles, and general emotional distress. Specifically, EAP is able to:

1. Train and assist managers, supervisors, and employee association officials who seek to improve their ability to work with troubled employees.
2. Provide problem identification and/or issue assessment services to employees and other eligible clients who experience emotional difficulties, particularly where those difficulties have the potential to impair job performance.

3. Provide confrontation, motivation, and short-term intervention services to employees and other eligible clients regarding their emotional difficulties, with particular emphasis on the development of improved behaviors and attitudes that may enhance or protect job performance
4. Refer eligible clients to other professional services for diagnosis and long-term treatment or assistance, and where appropriate, monitor the client's progress with those other services

B. Referral to EAP

1. Mandatory Supervisory Referrals

- a. Medical Fitness - [Administrative Regulation 2.7](#), Chapter 16 – Medical Fitness, § 2 Medical Assessment, authorizes the Chief of Police or designee to require that an employee undergo a medical assessment whenever the employee's ability to effectively perform the duties of his job appears to be impaired by a medical or psychiatric condition which may create a threat to the health and safety of the employee or others. Disciplinary action may be taken against any employee who willingly fails to report to a mandated medical assessment appointment.

Any presence of illegal drugs or alcohol is cause for disciplinary action and/or referral to the EAP. If an employee fails a drug or alcohol test, the employee may be ordered by the Office of Professional Responsibility to appear at EAP. Further, the refusal to cooperate with EAP recommendations may also lead to disciplinary action. A supervisor does not need a drug or alcohol test to refer an employee with an admitted or alleged drug or alcohol use problem to the EAP.

An employee's appearance at EAP to determine their medical fitness shall be to:

- (1) Formally and officially assess the employee's fitness for duty.
- (2) Screen the matter as a prelude to a formal and official assessment of fitness for duty by a non-EAP health care professional.
- (3) Provide intervention services following a failed drug or alcohol test.

Given the serious nature of medical fitness referrals, the supervisor and/or Office of Professional Responsibility shall also take any other action deemed necessary to protect the public, the employee, and the department. Such action may include, but is not limited to, temporarily transferring the employee to less demanding duties, placing the employee in a light duty status, or relieving the employee from duty.

2. Non-Mandatory Supervisory Referrals

- a. Professional Assistance - In situations where the supervisor does not question the employee's present ability to perform his job, but believes

that EAP intervention may help them to resolve problems affecting their job performance, the supervisor may initiate a non-mandatory supervisory referral to EAP. With this type of referral, the employee retains the right to refuse to attend EAP appointments and refuse to comply with EAP recommendations. When such refusals occur, the employee shall not be charged with insubordination or any other charge arising from his unsatisfactory participation with EAP. However, discipline may still be initiated for personnel violations and/or job performance deficiencies that initially prompted the non-mandatory referral. EAP services are non-disciplinary and are not a substitute for disciplinary action.

- b. Voluntary Self-Referrals - Employees, retirees, and family members who desire self-referrals may contact EAP directly without completing any departmental forms or notifying any departmental official. In addition, supervisors may suggest that employees arrange voluntary self-referrals in minor situations where a supervisory referral is deemed unnecessary.

C. The Referral Process

Supervisors who refer subordinates to EAP shall complete a "Supervisor's Referral to EAP Form," checking the appropriate box to indicate whether the referral is a mandatory referral or a non-mandatory referral. Supervisors selecting a mandatory referral shall contact the Office of Professional Responsibility prior to issuing the referral. Office of Professional Responsibility shall then have the option of approving the referral, denying the referral, or ordering an alternative examination by a non-EAP health care provider, as appropriate.

Supervisors making non-mandatory referrals are not required to obtain prior approval from Office of Professional Responsibility, although subsequent notification to Office of Professional Responsibility is required (see directive 511.05). EAP referral forms must identify specific deficiencies in the employee's job performance. To assist with this identification, the supervisor may use the pre-printed "Job Performance Issues Worksheet". This worksheet is written in checklist format and lists more than forty typical performance problems. The supervisor may employ this worksheet as an informal tool for his use only, or he may attach it to the referral form as supplemental information for EAP.

Supervisors shall serve the affected employee with the original copy of the referral form, and shall fax a copy to EAP. The appointment shall be scheduled by the employee, except that in mandatory cases the appointment shall be arranged by Office of Professional Responsibility.

D. Confidentiality

Employees referred to EAP by a supervisor are routinely asked to sign confidentiality waivers. Even after a confidentiality waiver has been signed, however, EAP staff will not discuss with any Departmental or County official

the nature or details of an employee's personal difficulties. Similarly, EAP will not reveal any recommendations it has made to the employee, and will not describe his treatment in any way. These confidentiality assurances apply regardless of whether the referral is mandatory or non-mandatory. The purpose of the confidentiality waiver is merely to allow EAP to confirm an employee's participation. Such confirmation usually works to an employee's benefit, as EAP referrals often occur as an alternative to adverse personnel actions.

Consequently, the only information that EAP will provide to a supervisor, even after a confidentiality waiver has been signed, is:

1. Confirmation that the employee has attended an EAP appointment or appointments.
2. Confirmation that unspecified recommendations have been made to the employee, without disclosing the nature of those recommendations.
3. Confirmation that the employee is satisfactorily cooperating with the aforementioned recommendations, without describing or evaluating the cooperation.

With mandatory referrals only, EAP shall notify the referring supervisor if an employee fails to appear for his appointment, regardless of whether a confidentiality waiver has been signed. In addition, the fact that an employee has failed to comply with EAP recommendations following a failed drug or alcohol test is reportable with or without a confidentiality waiver, although the details of the non-compliance are not reportable.

E. Documentation

EAP is a non-disciplinary program and, except where previously stated for medical fitness assessments and failed drug or alcohol tests, no employee may be disciplined for using the services of EAP or for refusing to use such services. Consequently, EAP-related paperwork that is not associated with a formal disciplinary action or a formal fitness for duty examination shall not be placed in any employee's personnel file, nor shall EAP referrals or participation be alluded to in performance evaluations.


Supervisors may, however, informally retain EAP-related paperwork and EAP-related notes in their possession. These materials are for the supervisors' personal use to document their supervisory actions. As such, these materials shall not be shown or provided to persons outside the supervisor's chain of command unless subpoenaed, or unless required to justify or establish the supervisor's actions in an administrative or legal hearing.

F. Eligibility and Costs

All current Arlington County Government employees, all Arlington County Government retirees, and family members of those employees and retirees are eligible to receive EAP services. There is no cost to the client for EAP services. However, if referrals are made to outside agencies or professionals, the cost of the non-EAP services become the responsibility of the client.



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511.09 Light Duty Assignment

I. Policy

Light duty assignments, when available, are for any permanent employees who are injured, ill or disabled and temporarily unable to carry out their regular assignment; but can perform alternative duties consistent with any restrictions imposed by their Qualified Healthcare Provider. To that end, light duty can provide these employees with an opportunity to remain productive while recuperating. It can also provide a work option for employees who may otherwise risk their health and safety or the safety of others by remaining on duty when physically or psychologically unfit for their regular assignment. Therefore, it is the policy of this Department that eligible personnel be given a reasonable opportunity to work in an available light duty assignment as provided under these guidelines. Light duty assignments are not disciplinary in nature.

Injuries that are covered by the Virginia Workers' Compensation Act may be subject to different conditions or requirements. Such employees should contact the County's Workers' Compensation Administrator and Section Commander for more information.

II. Definitions

- A. Full Duty – Sworn employees who are able to completely perform all the duties of a sworn law enforcement officer, with or without an accommodation. Civilian employees who are able to completely perform the duties listed in their job classification, with or without an accommodation.
- B. Light Duty – The employee is unable to perform all of his/her full duties to which they are assigned and a temporary transitional assignment with lesser or different duties may be made during the period of recuperation, temporary disability, or other temporary medical condition, following a period of disability or other leave.
- C. Light Duty Assignment – A temporary transitional assignment not expected to last more than six (6) months for non-job related conditions to one (1) year for job related conditions. These assignments are not budgeted or permanent, no matter the length of time.
- D. Qualified Healthcare Provider – A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices, or any other person “capable of providing health care services” as defined in the federal Family and Medical Leave Act (FMLA) and is limited to podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners, nurse-midwives, clinical social workers and physician assistants

who are authorized to practice under state law to diagnose and treat physical or mental health conditions and performing within their scope of practice as defined under state law.

III. Procedure

A. Requests for Assignment to Light Duty

1. Requests for light duty assignments will be submitted, in writing, to the employee's immediate supervisor and forwarded through their chain of command. Requests will be accompanied by specific work restrictions and must be signed by a Qualified Healthcare Provider. The documentation must include probable duration of any light duty assignment and nature of recommended work restrictions. Medical records and diagnosis are not submitted to the supervisor but may be required to be submitted to the County's Occupational Health Division.
2. The request for a light duty assignment and supporting documentation will be forwarded through the employee's chain of command to the Department's Human Resources Management Section (HRMS), who will make a recommendation regarding the assignment to the Chief of Police. The final decision on the request will be made by the Chief of Police and/or the County's Workers Compensation Administrator, as applicable.
3. An employee who has not asked for a light duty assignment may be recommended for such assignment. Notice shall be provided to the employee of the proposed light duty assignment together with justification for the recommendation.

The employee may seek a review of the proposed light duty assignment, using their chain of command, to the Chief of Police. Pending results of that Departmental review, an employee may be placed in a temporary light duty assignment if, in the opinion of the Chief of Police or designee, it is in the best interest of the Department and failure to reassign may jeopardize the safety of the employee, other personnel or the public. The final decision on an individual's light duty status will be made by the Chief of Police or designee.

4. It is the responsibility of the employee to promptly notify their current chain of command whenever they are released to full duty or their restrictions or the expected duration changes.
5. The Chief of Police or designee retains ultimate authority over an individual's light duty status or their return to full duty status.

B. Extension of Light Duty

After the initial approved light duty period, personnel in a light duty assignment who are not capable of returning to their full duty original assignment shall present a written request for an extension of light duty. The request should include a proposed time frame for such extension along with a brief supporting note from a Qualified Healthcare Provider. The request must be submitted through their chain of command to the Chief of Police, or designee, for approval.

C. Light Duty Assignments

1. Light duty assignments may be drawn from a range of technical and administrative areas that include, but are not limited to; desk assignments, administrative functions and clerical functions. The HRMS shall be responsible for coordination.
2. In addition to considerations included in this policy, decisions on light duty assignments may be made based upon the availability of an appropriate assignment given the employee's knowledge, skills and abilities, the availability of light duty assignments, departmental needs, workforce impacts and the medical restrictions.
3. Every effort will be made to place employees in assignments consistent with their rank and pay classification. However, where appropriate, employees may be placed in assignments designated for personnel of lower rank or pay classification. Employees thus assigned shall retain the privileges of their rank; but shall report to the supervisory personnel of the unit to which they are assigned with regard to work responsibilities and performance. Employees will also keep the pay classification of the position held prior to their assignment to light duty.

D. General Guidelines

1. Light duty is always temporary, discretionary and based on the needs of the Department. The Department reserves the right to review any light duty assignment at any time.
2. Employees must follow all applicable restrictions while on light duty and promptly notify their chain of command, as it exists at the time.
3. Light duty assignments are limited in availability, number and/or variety. As such, personnel who are injured or are otherwise disabled in the line of duty shall be given preference in any initial assignment to light duty. Light duty assignments shall not be imposed as a disciplinary action and assignments may be changed at any time.
4. Job classification and seniority will not be affected by placement in a light duty assignment.
5. No specific position within this Department shall be designated for use exclusively as a light duty assignment nor shall the Department be obligated to maintain any particular, or any, light duty assignment(s).
6. Light duty assignments are intended to be limited in duration and will be reviewed periodically by the Department's Human Resources Management Section (HRMS).
7. At any time during a light duty assignment, employees may be required to submit documentation from a Qualified Healthcare Provider regarding their duty status, restrictions and/or expected duration. The Department may also seek a medical assessment.

8. Sworn employees on light duty are prohibited from engaging in outside employment (including off-duty details) in which they may reasonably be expected to perform regular law enforcement functions. Previously approved outside employment may be reviewed to determine if continued approval is in the best interest of the Department.
9. Except when necessary, as determined by the Chief of Police or designee, an employee in a light duty assignment **shall not** be permitted to:
 - a. Wear the department uniform.
 - b. Openly carry a department approved weapon.
 - c. Operate any departmental vehicle while on duty or off duty.
 - d. Exercise police powers, except in exigent circumstances.

Additional restrictions may be imposed at the Department's discretion.

10. Sworn employees on light duty, who have met DCJS qualifications requirements and submitted written clearance from a Qualified Healthcare Provider, may carry a concealed firearm while on-duty, unless otherwise notified by the Chief of Police.
11. Employees may not refuse light duty assignments that are deemed to be in the best interest of the Department and are supported by, and consistent with, the recommendations of a Qualified Healthcare Provider or the County's Physician Supervisor. Employees may request a review of such assignments by submitting a written request through their chain of command to the Chief of Police. The decision of the Chief of Police shall be final.

E. Pregnant Employees


Pregnancy shall be treated in the same manner as any other non-work related temporary disability or medical condition.

F. Other Laws and Regulations

1. This policy does not affect the rights of employees established under the provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act or other applicable Federal or State law.
2. Employees who are unable to return to full duty may be subject to provisions within [Administrative Regulation 2.7](#), including medical layoff.
3. The above provisions notwithstanding, no requirement of this directive prohibits an officer from exercising their basic right as a citizen to openly carry any legal firearm of his choosing for purposes of hunting, target practice, gun collecting, sale, maintenance, repair, or other personal reasons unrelated to self-defense or law enforcement.



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512.02 Solicitation

I. Policy

The use of the department's name in the solicitation for anything of value from persons, partnerships, corporations, business concerns or any other entity is prohibited unless stated in this procedure or approved in writing by the Chief of Police or covered by a separate County policy. No department employee shall directly or indirectly solicit anything of value from persons, partnerships, corporations, business concerns or any other entity on behalf of any employee or any group that is identified as consisting of department employees.


As used in this procedure, the term "indirectly solicit" includes a department employee permitting or not opposing solicitation by an organization, or its agents, of which the department employee is a member. Solicitation on behalf of a social or fraternal organization whose membership includes department employees is authorized only on the condition that the solicitor makes clear that the solicitation is on the behalf of the organization and is not for the police department and is not in any way sanctioned by the police department. Solicitation by an employee in a department uniform is prohibited.

II. Procedure - Prior to engaging in any form of solicitation, department employees are responsible for determining whether such solicitation is in violation of this or any other procedure.

- A. If necessary, the employee shall request the Chief of Police to rule on the validity of the solicitation; or approve the request if not covered elsewhere.
- B. Department employees who are members of an organization who makes solicitations which are covered by this procedure shall inform that organization of this procedure and ensure that the organization is in compliance.
- C. Nothing in this procedure is intended to prohibit department employees from asking other department employees if they wish to purchase various items such as cookies or cosmetics.
- D. Solicitation for a charitable cause, however, is limited to employees who have been designated by the Chief of Police, and in conjunction with a countywide charitable drive.
- E. Solicitation not prohibited by this procedure may occur in the workplace provided it does not interfere with normal duties.



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512.06 Intern Program

I. Policy

To encourage participation in an intern program and to establish guidelines to administer the program.

II. Procedure - The supervisor of the Homicide/Robbery Unit will be responsible for the intern program.

A. Qualifications and Selection - The number of intern positions available is limited by department resources and commitments. Final approval of all candidates' rests with the Chief of Police after consultation with the Deputy Chiefs of Police. Candidates must meet the following criteria to be eligible to participate in the program:


1. Be 18 years of age or older.
2. Currently enrolled in an accredited college or university.
3. Pass routine record check.
4. Must have a favorable polygraph result.
5. Agree to complete liability waivers as required by the department.
6. Be able to work irregular hours.

B. Program Description - Interns will be provided with the opportunity to learn through directly observing the performance of various police functions, and through time reserved for interviews, research, and the completion of papers and reports required by their college or university. The program format is flexible to accommodate the needs of the intern, the requirements of the college or university, and the commitments of the department. The intern program is designed to provide an overview of the functions of various components of an urban police department, including:

1. Patrol Operations.
2. Criminal Investigations.
3. Administrative and Training functions.



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512.07 Performance Appraisals

I. Policy

The performance appraisal is an impartial measurement of the employee's on-the-job performance of assigned duties within a specific time frame. The employee's supervisor shall conduct a performance appraisal annually for each employee.

II. Procedure

A. Types of Performance Appraisals

1. Informal – Supervisors are encouraged to perform periodic informal written evaluations of their employee's job performance. Copies of informal evaluations shall be retained in the employee's personnel file.
2. Formal – A permanent written evaluation of an employee's quality of work performance based on specific key work expectations. Formal evaluations are completed using the County's online OnBase system, prior to the employee's anniversary date. An employee's anniversary date may be the employee's initial appointment or most recent promotion date.

B. Conducting a Performance Appraisal

1. Upon assignment to a unit, the supervisor shall review and update the employee's OnBase performance evaluation to reflect key work expectations of their current position.
2. Supervisors shall meet with their employees at the beginning of the rating period to counsel them on specific job expectations.
3. Supervisors shall notify the Human Resources Management Section (HRMS) anytime there is a change in personnel to their unit. The HRMS will update OnBase to reflect the proper chain of command.
4. Employees shall be rated by their immediate supervisor. If an employee or supervisor is transferred during the evaluation period, it is the responsibility of the former supervisor to conduct an informal appraisal and rating of the employee's prior job performance. The appraisal shall be completed in a word document and provided to the current supervisor for inclusion in the formal OnBase evaluation.
5. The immediate supervisor shall electronically sign the appraisal form and submit it for review and signature by the next supervisor in their chain of command.

6. Supervisors shall notify their employees, via telephone or email, that their performance appraisal has been electronically submitted for their review. The employee shall sign the performance appraisal, indicating that the appraisal has been read. The signature shall not imply agreement or disagreement with the contents.
7. Supervisors are encouraged to counsel their employees on the results of their performance appraisal. At this time, the employee and supervisor shall make any necessary changes to their work expectations for the next evaluation period.
8. The completed performance appraisal shall be saved in OnBase and the HRMS shall retain a copy in the employee's permanent personnel file.

C. Unsatisfactory Performance Appraisals

1. An unsatisfactory performance is an evaluation that the employee's behavior or work performance has not met expectations and may lead to disciplinary action.
2. Employees who are performing in an unsatisfactory manner, overall, shall be notified in writing by their supervisor. This notification shall be given as soon as practical after the unsatisfactory performance has been identified by the supervisor, but no later than ninety (90) days prior to the end of the evaluation period, unless there is less than 90 days remaining in the evaluation period.

The purpose of this notification is to allow the employee a reasonable opportunity to improve the performance before the end of the evaluation period. The notification shall define the actions that must be taken to address the unsatisfactory performance and to attain an overall satisfactory rating.

3. If the employee receives an unsatisfactory performance appraisal, the employee will not be eligible for a pay increase. A second formal evaluation shall be conducted after six months to ensure that the employee is meeting the key elements. The employee's anniversary date will be updated to reflect the new evaluation date. Informal evaluations may be conducted as needed.
4. Failure to meet the key elements may result in personnel action such as:
 - A change in assigned days off or work assignment.
 - Withholding pay step increase.
 - Demotion or reduction in step due to failure to maintain an overall satisfactory rating on the performance appraisal.
 - Supporting termination for failing to maintain an overall satisfactory rating on the performance appraisal.

D. Grievances


In accordance with Administrative Regulation 2.7, performance appraisals are non-grievable matters except when the employee can show established policies or procedures were not followed or applied fairly.

E. Conducting Criminal History Checks

1. During performance appraisals, supervisors shall conduct criminal history checks for all sworn officers and civilian staff with access to NCIC/VCIN, as required by CJIS standards. When conducting the criminal history check, supervisors shall use 'J' under the purpose code.
2. Any derogatory information found through the criminal history check shall be forwarded, via memorandum, through the chain of command to the Chief of Police.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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511.03 Grievances and Appeals

- I. **Policy** - Employees shall have the right to present a grievance or appeal, pursuant to the provisions of this directive, without fear of retaliation, coercion, restraint, discrimination or reprisal.
- II. **Procedure**
 - A. **Administrative Regulation (AR) 2.7, Chapters 18 and 19 - Grievances** - AR 2.7 outlines the County's grievance procedure, eligibility for filing a grievance and what types of actions are grievable. Probationary employees are ineligible to file a grievance.
 1. Assignments, premium pay, evaluations, etc. are not grievable.
 2. The department reserves the right to reject grievances which do not meet the County's grievability criteria. Thereafter, an employee may request a Grievability Determination in accordance with Administrative Regulation 2.7.
 3. The County's grievance process culminates in a Step 4 appeal. Sworn officers may appeal discipline, terminations or disciplinary demotions to the Police Trial Board, or to the Civil Service Commission. An officer must declare his/her election prior to the County Manager level (Step 3 or submission of a statement to the County Manager, as applicable).
 4. Sworn Officers may also elect under the Law Enforcement Officers Procedural Guarantee Act (Police Bill of Rights) to have a panel convened to provide an advisory opinion to the Chief of Police. This election must be noted at Step 1 or prior to the Fact-Finding Meeting, whichever procedure is applicable.
 5. Nonsworn or civilian department employees may only appeal the decision of the County Manager to the Arlington Civil Service Commission and do not have the right to convene a panel under the Law Enforcement Officers Procedural Guarantee Act.
 6. All grievances and elections must be timely filed at each point in the process. For example, Step 1, the meeting with the supervisor or command staff in the case of sexual harassment, must be completed within 20 days of when an employee knew or should have known about the discipline, harassment or discriminatory action adversely affecting him/her.


7. Contact Cards, Squad Level Counseling, Letters of Corrective Action, Performance Action Standards Document (PSAD) and Reprimands are not discipline and thereby ineligible for any of the rights or procedures outlined herein.
 8. Sworn employees may proceed under the County's grievance procedure or the law enforcement officer's procedural guarantees, but not both. Sworn employees may appeal to the Arlington County Civil Service Commission or the Police Trial Board, but not both. Each of these procedures require timely filings and elections.
- B. Police Trial Board (PTB) - Notwithstanding changes in the law, Arlington County is authorized to retain its Police Trial Board procedures adopted by the County Board.
1. The PTB is an all-volunteer panel appointed by the County Board to hear and decide appeals filed by sworn members of the police department. Police Officers may choose the PTB for the resolution of grievances about dismissal, demotion, reduction in rank or pay, or a suspension approved by the County Manager.
 2. The PTB must follow the duly adopted **Rules of the Police Trial Board - Procedures** established by the Arlington County Board or the PTB. Virginia's Rules of Evidence are not applicable at PTB hearings but all employees are expected to present their appeal in a professional, concise manner and to remain on topic. A copy of those procedures is available from the County's Human Resources Department.
 3. An election to use the PTB must be made at the outset of the grievance (Step 1 or Fact Finding Meeting, as applicable) and the grievant's notice to convene a PTB must be made within five (5) calendar days after the final decision at the County level (Chief of Police if within his/her authority or the decision of the County Manager if AR 2.7 requires County Manager approval of the discipline).
 4. PTB hearings should be had within thirty days of the notice of election or thirty days after a decision of the County Manager, as applicable.
 5. Failure of the grievant to appear at the hearing shall result in the dismissal of the appeal, absent good cause shown.
 6. All PTB decisions are final. PTB hearings and decisions are governed by this section. The decision of the PTB is governed by the Rules and Regulations of the Arlington County Police Department and the Administrative Regulations in effect at the time of the discipline giving rise to the appeal..
 7. Officers requesting a PTB hearing must not have previously exercised their rights under the Law-Enforcement Officers Procedural Guarantee Act (*Police Bill of Rights*) or have previously elected to appeal to the Arlington County Civil Service Commission.

8. Only sworn officers who have been a member of the department for at least six (6) consecutive months and have satisfactorily completed their probationary period are eligible to appeal to the PTB.
- C. Law-Enforcement Officers Procedural Guarantees Act (Police Bill of Rights)
Virginia Code § 9.1-500 et seq. – Procedure under this Act:
1. An officer, who has been dismissed, demoted, suspended or transferred for disciplinary (punitive) reasons (“disciplinary action”), may request a hearing under this Act.
 2. The request must be made in writing to the Chief of Police within ten (10) calendar days of the officer’s receipt of the notice of the imposition of the disciplinary action.
 3. If such a request is timely made, a hearing shall be held no later than fourteen (14) calendar days following the date of the request, unless the officer agrees to a later date.
 4. Both the officer and the department shall be afforded the opportunity to present evidence, examine and cross-examine witnesses. The officer shall also be given the opportunity to be represented by counsel, at his or her own expense. If an officer has an attorney present, the department may also be represented by counsel.
 5. A record shall be made of the hearing.
 6. Times and deadlines may be extended by mutual consent.
- D. Conduct of Hearings under this Act:
1. The hearing shall be conducted by a three-member panel. All panel members must be selected from within the active members of the police department.
 - a. The grievant selects one member.
 - b. The Chief of Police selects one member. This member may not be a lower rank than the grievant nor more than two ranks higher than the grievant.
 - c. The third member is selected by the other two panel members. If the two members cannot agree on the third member, the selection shall be made by the Chief Judge of the Circuit Court.
 2. At the request of either party, the panel shall issue subpoenas requiring the testimony of witnesses who have refused or failed to appear at the hearing.
 3. The panel has the power to rule on the admissibility of evidence.
 4. The recommendations of the panel, and the reasons therefore, shall be in writing and given promptly to the officer or the officer’s attorney and to the Chief of Police.
 5. The recommendations shall be advisory only, but shall be accorded significant weight by the Chief of Police.

6. The decision or recommendation of the Chief of Police, after due consideration of the panel's report in accordance with the above stated standard, cannot be further appealed by the officer. In some instances, the discipline must be further approved by the County Manager, or designee, if the discipline imposed is outside of the Chief of Police's authority afforded under AR 2.7, Chapter 18.
 7. Nothing in this procedure shall be construed to prohibit the informal counseling of an officer by a supervisor in reference to a minor infraction of policy or procedure which does not result in disciplinary action being taken against the officer.
 8. Nothing in this procedure shall prevent the immediate suspension without pay of any officer whose continued presence on the job is deemed to be a substantial and immediate threat to the welfare of the department or the public.
 9. Nor shall anything in this section prevent the immediate suspension of an officer for refusing to obey a direct order issued in conformance with the department's written and disseminated rules and regulations. In such a case, the officer shall, upon request, be afforded the rights provided for under this procedure.
- E. Discretionary Personnel Actions – Nothing in this section shall prevent the placement of an officer on administrative leave, without pay, or the surrendering of gun and/or badge, during the investigation of an alleged improper act which may result in serious disciplinary action or for other purpose when the retention of the employee in a duty status may be detrimental to the interests of the County, the department, the employee, fellow employees or the public.



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511.07 Overtime & Holiday Compensation

I. Policy

Pay for overtime and/or compensatory leave is determined in accordance with the provisions of the Fair Labor Standards Act, as well as Arlington County's Administrative Regulation titled, "[Overtime Compensation and Premium Pay](#)."

II. Procedure

A. Employee's Responsibility

1. An employee desiring or needing to work overtime shall request supervisory approval in advance. If obtaining supervisory approval is impractical, an employee may work overtime without approval, but shall be accountable to justify the urgency of the work.
2. In cases where the urgency of the work cannot be shown, the employee shall still be paid for all overtime work performed; however, disciplinary action may be imposed in situations where an intentional abuse of overtime is indicated.
3. Employees shall document all overtime in TeleStaff.

B. Supervisor's Responsibility

1. When practical, supervisors should encourage employees to adjust their work schedules in order not to exceed the number of hours normally scheduled for a pay period. Where such adjustments are impractical, supervisors may assign or approve overtime in accordance with subsection C. Overtime Calculations.
2. Supervisors shall assign overtime on an equitable basis, neither permitting nor requiring work to be repeatedly done by a small number of employees when other employees with sufficient skills and expertise are available. In this regard, supervisors may, but are not required to implement a rotation system in order to equalize overtime opportunities.
3. Supervisors shall have an employee of the next higher rank approve all personal overtime entries in Telestaff, unless exempted by the Chief of Police or designee.

4. Supervisors shall periodically review their units' overtime usage in order to determine whether changes to their units' schedules and/or staffing levels are needed, and/or whether the units' current overtime approval practices are appropriate.
 5. Supervisors who perceive possible abuse of overtime by subordinates shall take the appropriate corrective action. Such action may include counseling or may involve a formal disciplinary investigation.
- C. Overtime Calculations - The County Human Resources Department maintains a [Job Class List](#) on AC Commons identifying positions as Non-Exempt or Exempt from FLSA.
1. Non-Exempt Employees
 - a. Shall be paid overtime at time-and-one-half their regular hourly rate.
 - b. Shall have all forms of paid leave counted when calculating the number of hours of overtime an employee will receive. This includes sick, vacation, education, disability, voting, civil, and administrative leaves.
 - 1) Employees working a 28-day cycle will be compensated for all overtime hours worked during the first 14 days at their hourly rate. The additional .5 time will be paid at the end of the 28-day cycle for all hours worked in excess of 160 hours.
 - c. May request that, in lieu of overtime pay, they be permitted to adjust their schedules (thereby taking an amount of time off that is equal to the overtime hours worked during their pay period). However, supervisors may deny such requests, particularly when honoring the request would create staffing or safety concerns. If time permits, the supervisor shall approve or deny a request for schedule adjustment at least 48 hours in advance.
 2. Exempt Employees
 - a. Employees at the grade of XMAP2 earn compensatory time for additional hours worked and are normally not eligible for overtime pay. However, at the discretion of the Chief of Police or designee, overtime may be approved for compensation on an hour for hour basis at a straight rate.
 - b. Affected employees should be made aware of their FLSA status at the time of hiring. Further explanation can be found in Administrative Regulation, "[Overtime Compensation and Premium Pay](#)," Section 7 – Fair Labor Standards Act.
- D. Holiday Compensation
1. Non-Exempt Employees
 - a. Non-exempt employees who do not work on a holiday are required to report leave. The leave will credit toward the calculation of overtime. In addition, employees receive holiday premium pay or compensatory

leave on holidays whether they work or not. Those premium hours will not be credited towards hours worked.

2. Exempt Employees

- a. Holiday premium electives will remain in effect. The employee elects to receive premium pay or compensatory leave and will continue to receive 8 hours for each holiday.
- b. Exempt employees scheduled to work a holiday who elect to take leave will either use vacation or compensatory leave.

E. Command Responsibilities

Section commanders shall ensure that overtime expenditures do not exceed the amounts allocated in their respective budgets, and that overtime usage within their commands is appropriate and equitably assigned. Therefore, commanders shall periodically review the overtime pay reports of their commands and shall remain aware of their command's cumulative overtime totals as the fiscal year progresses.


F. Fiscal Management Unit's Responsibility

Each month the Fiscal Management Unit shall compile an "Overtime Report" that identifies the overtime expenses of each Section and its various components. Copies of this report shall be distributed to the Chief of Police and to each Division Commander.

NOTE: The administrative regulation, "[Overtime Compensation and Premium Pay](#)" is the County's governing document with respect to policies related to overtime compensation and premium pay, and as such it shall take precedence over this directive in the event that a conflict between the two documents is discovered.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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511.08 TeleStaff

I. Policy

Department employees are responsible for electronically reporting their time and attendance online through the TeleStaff portal.

II. Definitions

- A. Access – Portal access for employees on the web at <https://arlingtonvapolicy-wfts.kronos.net>.
- B. Codes – Items used to designate an employee's time.
- C. Finalize – TeleStaff system function that locks entries so they will pass to payroll.
- D. Human Resources Administrative Specialist – An employee, assigned to the Human Resources Management Section, responsible for the maintenance and upkeep of the TeleStaff database.
- E. Patrol Roster – Patrol worksheet that depicts officer assignments for a particular shift.
- F. TeleStaff – An electronic portal system assisting in the administration of scheduling and payroll functions, creation of reports and rosters, and the distribution of overtime.

III. Procedures

A. Employees

- 1. Each employee is responsible for ensuring the accuracy of their profile information in TeleStaff. Any incorrect information that cannot be edited by the employee shall be reported to the Human Resources Administrative Specialist.
- 2. Base schedules for each employee will be entered by the Human Resources Administrative Specialist. Any employee wishing to change their base schedule in TeleStaff must submit a request in writing through their chain of command.

3. Employees shall enter the appropriate TeleStaff codes to account for their time worked prior to the start of each shift. However, employees may modify their codes to reflect any change in job assignments.
4. Any employee needing to enter a code after the schedule is finalized must email their supervisor and the Human Resources Administrative Specialist with the updated code and an explanation as to why the code was not entered.
5. Employees are responsible for verifying the accuracy of their time and reporting errors to their supervisor.

B. Supervisors

1. Supervisors shall request changes to their staff's base schedules from the Human Resources Administrative Specialist.
2. Supervisors shall review and approve codes entered by their staff. Codes shall be approved prior to the start of a shift, or as soon as practical after the shift begins.
3. Supervisors are responsible for the time reported by their staff and shall ensure the accuracy of the codes entered.
4. Supervisors shall make any necessary code corrections for their staff.
5. Supervisors shall track and document repeated code infractions made by their staff.

C. Watch Commanders

1. Watch Commanders shall create the patrol roster for each shift using TeleStaff.
2. The roster shall be distributed to the appropriate department and ECC personnel.

D. Off-Duty Assignments

See Manual directive [512.03 Off-Duty Employment.](#)

E. Court Appearances


See Manual directive [516.02 Court Procedures.](#)

F. Overtime and Holiday Pay

See Manual directive [511.07 Overtime & Holiday Compensation.](#)



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512.01 Educational Benefits

I. Policy

All employees are encouraged to take advantage of the educational benefits which are available through the County and/or department.

II. Definitions

- A. Educational Leave – Leave granted to a permanent full-time employee that includes full or partial pay to take coursework and associated exams that directly relate to their current work or career growth within the County.
- B. Tuition Reimbursement – Provides reimbursement up to a set amount, which varies by fiscal year, for tuition expenses of an employee attending an accredited university and taking classes related to their current work or career growth within the County.

III. Procedure - All employees requesting “Education Leave” or “Tuition Reimbursement” must comply with the procedures outlined in [A. R. 2.7](#), [AC Source](#) and any additional requirements imposed by this department.


A. Educational Leave

1. Employees seeking Educational Leave must submit a memorandum, through their chain of command, for approval by the Chief of Police, or his designee, clarifying how the proposed classes or coursework will benefit the employee’s current work assignment or their opportunity for career growth within the County.
2. Educational Leave must be approved prior to employee participation in any classes or coursework and may not exceed the educational leave hours approved by the County Human Resources Director during any particular fiscal year.
3. The Chief of Police will determine whether or not Educational Leave is granted and whether it is with full or partial pay.
4. Approved Educational Leave must be entered into Telestaff by the employee.
5. Employees must advise their immediate supervisor if a course has been cancelled where Educational Leave has been granted.

6. Approved Educational Leave may be rescinded by a supervisor when exigent circumstances exist requiring the employee to report to work.
 7. Any conflict or inconsistency between the provisions contained in this directive and any Arlington County administrative regulation will be directed to the County Human Resources Director or designee for resolution.
- B. Tuition Reimbursement
1. Employees seeking Tuition Reimbursement must apply by submitting the [Course Approval Application](#) on AC Source prior to taking a course.
 2. Tuition Reimbursement course cancellations or substitutions must be reported immediately to the County's Office of Training and Organization Development.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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512.05 Employee Records Management

I. Policy

A supervisor shall provide an employee with a copy of any record or document subsequent to placing it in an employee's official, unofficial, or shift level file. The department will comply with all applicable federal, state, and county regulations pertaining to information maintained in an employee's personnel file. Arlington County *Administrative Regulation 2.7 - Personnel Rules* shall have primacy in all matters related to personnel file management.

II. Procedure

A. Personnel Files

1. Official Personnel File - An employee's official personnel file is stored and maintained by the Arlington County Human Resources Department. This file contains employment related documentation and serves as a historical record of information pertaining to an employee from the date of hire to separation. Employees may review their files electronically through AC Commons via the ERMS/OnBase link.
2. Unofficial Personnel File – Personnel files maintained at the Police Department are unofficial records, but are subject to the same rules, regulations and procedures as official Personnel Files. Such files will be accessible to supervisors provided that an employee is under the supervisor's command or is being considered for a position under that supervisor's command.
3. Shift Level Employee File – A working file may be maintained by a supervisor, to track performance information on an individual employee. This file typically contains documents such as notes of conversations, assignments, productivity, conduct, and information that supports performance evaluations.

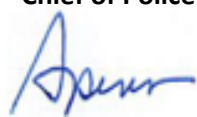
- B. Content of Files - Any information related to the employee or the employee's job performance may be included in a Personnel File. Personnel Files should be used to document actions which can be used to evaluate performance, provide corrective action, assess training needs and, if necessary, initiate

disciplinary action. Employees have the right to examine all information maintained in a Personnel File.

1. Personnel Files are used to document an employee's performance and are useful and necessary for supervision and evaluation. Information specifically prohibited from being included in a file includes any unfounded complaint against an employee, records pertaining to a complaint, or an internal administrative investigation.
 2. An employee who finds a factual error in a Personnel File shall bring it to the attention of their supervisor. If the error is not corrected, a statement by the supervisor shall be included to explain why the error was not corrected. An employee may also supplement their Personnel File with information which adds to, or refutes, what is contained in the file.
- C. Security of Records – All personnel Files are considered confidential and/or sensitive and will be stored in a secure location when not in use.
- D. Retention and Disposal of Shift Level Employee File - Information shall be kept only if it is current and needed.
1. Files should be reviewed annually, to coincide with the employee's performance evaluation, and discarded once the information is no longer needed.
 2. Upon transfer or reassignment of an employee, the file will be reviewed by their current supervisor and information no longer needed will be removed. The file will subsequently be forwarded with the employee to their new assignment.
 3. When an individual is no longer employed by the department this file will be destroyed in accordance with state retention and disposition schedules.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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512.10 Auxiliary Police Program

I. Policy

The Arlington County Code mandates the establishment of an auxiliary police force that is equipped and maintained for the further preservation of the public peace, safety and good order of the community. Under state and county code auxiliary officers have all the powers, authority, and immunities of constables at common law. The exercise of that authority is limited by this policy to exigent circumstances when an immediate arrest is required and no full-time sworn police officer is available.

Each auxiliary police officer shall conform to and be subject to all the rules and regulations governing police officers of Arlington County, Virginia, including disciplinary regulations and to such additional rules and regulations concerning auxiliary police. The total number of auxiliary police officers will not exceed fifty persons. Each auxiliary police officer appointment may be revoked at any time.

II. Code Requirements

- [Code of Virginia, §§ 15.2-1731 through 15.2-1736](#)
- [Arlington County Code, Chapter 53 - Auxiliary Police Force](#)

III. Procedure

A. Auxiliary Police Program


1. Members of the Auxiliary Police Program are unpaid citizen volunteers, organized and trained for specific police activities. Auxiliary police officers represent a source of support personnel and are not a substitute for full-time sworn police officers of the Arlington County Police Department. Auxiliary police officer assignments shall be limited to those functions that do not require arrest authority.
2. Auxiliary police officers are to be assigned primarily to community service functions. They are utilized in times of public emergency and special events and receive ongoing training through field training, ride-a-longs and monthly meetings. Auxiliary police officers are not issued firearms. The following functions are examples of what auxiliary officers may undertake but this list is not all-inclusive:
 - a. Special events and details.
 - b. Traffic direction and control.

- c. Public Information Counter.
 - d. Crime prevention.
 - e. Community relations.
 - f. Administrative duties.
- B. Calling Auxiliary Police, Into Service - The Chief of Police may call into service auxiliary police officers as may be deemed necessary:
 - 1. In time of public emergency.
 - 2. At such times as there are insufficient numbers of regular police officers to preserve the peace, safety, and good order of the community.
 - 3. At any time for the purpose of training such auxiliary police officers.
- C. Auxiliary Police Uniforms - An auxiliary officer's uniform is the same as the standard duty uniform, with the following exceptions and modifications:
 - 1. The uniform shirt is the standard duty uniform shirt bearing the word "Auxiliary" clearly sewn onto the shirt immediately above the shoulder patches.
 - 2. No firearm or holster is worn on the auxiliary officer's duty gear.

These modifications are indented to reduce the hazard to the auxiliary officer and any confusion to the public which may expect assistance for which the Auxiliary is not trained or empowered to act.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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512.11 Promotional Process

I. Policy

Although the responsibility for conducting promotional processes rests with the Arlington County Human Resources Department, the Police Department will provide assistance in the development and administration of promotional procedures.

II. Procedure - The Police Department's role in developing and administering promotional procedures will include, but not be limited to:

- Providing assistance in establishing and ensuring that all promotional processes are job related.
- Assisting with the dissemination of information and announcements regarding promotional processes.
- Coordinating the scheduling of applicants.
- Providing assistance with the administration and/or scoring of components of various promotional processes at the request of the County's Human Resources Department.
- Assisting with the evaluation of each promotional process by providing the County's Human Resources Department with information and feedback following each promotional process administered.

The Commander of the Police Department's Human Resources Management Section will be responsible for coordinating the department's responsibilities with regard to promotions and acting as the liaison to the County's Human Resources Department unless another person is designated by the Chief of Police. In addition, the Commander of the Human Resources Management Section will be responsible for developing and maintaining a manual governing the procedures used for promotion.

All promotional processes involving written examinations will include a current bibliography of materials used as sources of questions which will be made available to each candidate.

Eligible lists shall be established by the County's Human Resources Department in accordance with the provisions of County Administrative Regulations and will be published in conformance with Human Resources Department policy. If a promotional process is composed of more than one element, the weight of each element will be determined prior to the commencement of the promotional process and will be included in any information provided to candidates.

Selections for promotion, the composition of certification lists and the duration of eligible lists will be in accordance with Arlington County Administrative Regulations.

The promotional process for Police Corporal will be conducted each year and the eligibility list will be valid for one (1) year, unless otherwise specified by the Chief of Police. The promotional process for other ranks will be conducted on alternate years with eligibility lists valid for two (2) years, unless otherwise specified by the Chief of Police.


Selection for promotion will be made by the Chief of Police, from a certified list provided by the County's Human Resources Department. The certified list will identify the top five or the top twenty percent (20%), whichever is greater, from the list of eligible candidates as determined by applicable Arlington County Administrative Rules.

All promotions will be based upon the needs of the Department, any special requirements of the position being filled, the background and experience of personnel on the certified list, and any special requirements of applicable Equal Employment Opportunity or Affirmative Action policies.

Failure to promote is a non-grievable matter unless the employee can show that established promotional policies or procedures were not followed or applied fairly. [Arlington County Administrative Regulation 2.7.](#), outlines the process for review and appeal of procedures utilized in any promotional process. The reapplication, retesting, or reevaluation of a candidate can only be authorized by the Director of the Arlington County Human Resources Department.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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512.12 Reporting for Duty During Inclement Weather

I. Policy

Inclement weather occasionally forces the County to suspend or limit many of its day-to-day operations. However, some functions are so crucial to the public welfare that they cannot be curtailed. Most of these functions are performed by the County's public safety and public works agencies. In order to assure that crucial functions are performed throughout a weather emergency, the [County Administrative Regulation – Severe Weather/Emergency Closings](#), in the section titled Emergency Employees authorizes supervisory personnel to designate certain employees as an "emergency employee" that provides services critical to public safety and to the operation of County Government. This directive identifies which ACPD personnel fall into that category.

II. Definitions

A. Essential employees include:

1. Sworn officers (regardless of assignment) who are regularly scheduled to work during a weather emergency.
2. Emergency communications technicians who are regularly scheduled to work during a weather emergency.
3. Customer service counter personnel who are regularly scheduled to work during a weather emergency.
4. Personnel who would otherwise be considered non-essential, but who have been explicitly ordered to report for duty (or remain on duty) by a supervisor.

B. Non-essential employees include:

1. Civilian employees who are regularly scheduled to work during the period of a weather emergency, other than those identified in sub-sections II.A.2-4 above.
2. All employees (sworn and civilian) who are not routinely scheduled to work during the period of the weather emergency, and have not been called back.

III. Procedure

- A. Announcements – Arlington County's primary method of communicating with employees during an emergency is via the Employee Alert System. These emergency alerts include County Government closings, severe traffic issues, weather alerts etc. Use of the [Arlington Employee Alert System](#) is restricted to County employees.

B. Essential Employee Responsibilities

During a declared weather emergency, essential personnel shall report for duty at their regularly assigned times and work sites, unless explicitly instructed otherwise by a supervisor. Late opening and unscheduled leave announcements made by the County Manager do not apply to essential personnel.

Essential employees who, for reasons beyond their control, cannot report as scheduled, shall contact a supervisor (or ECC, if a supervisor cannot be located) at the earliest practical opportunity. The employee shall inform the supervisor of the reason for the delay, the employee's current whereabouts, and the anticipated time of arrival. If it appears that the employee will be unable to report entirely, the supervisor shall arrange alternative transportation or make other arrangements, as appropriate.


C. Non-essential Employee Responsibilities

Non-essential employees shall be governed by leave and schedule adjustments announced by the County Manager, or by their regular work schedules when no such adjustments are announced.

The above provision notwithstanding, any non-essential employee may be ordered by a supervisor to report for duty, or to remain on duty, if the supervisor determines that the employee's services are vital (as provided by sub-section II.A.4).



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513.02 Training for Civilian Public Safety Employees

I. Policy

As part of their professional development employees are encouraged to participate in training related to their position in order to maintain and advance their skills, knowledge and competencies and add value to the workplace.

II. Procedure

- A. Orientation Training - All newly hired civilian public safety employees will receive, at a minimum, the following training:
- County new employee orientation.
 - Review of the Department's role, purpose, goals, policies and procedures.
 - Working conditions and regulations.
 - Responsibilities and rights of employees.
- B. Training Resources - Training provided to civilian public safety employees shall use, at a minimum, the following resources:
- [AC Commons](#).
 - [Arlington County administrative regulations and policies](#).
 - Police Department Manual.
 - Applicable standard operating procedures manuals.
- C. Specialized Training - In addition to orientation training, the School Crossing Guards, Parking Aides, Community Services Officers, Special Services and Property Unit personnel require additional specialized training by the Unit/Section Commander before assuming their job responsibilities.
1. School Crossing Guards, Parking Aides and Community Service Officers
- Applicable Virginia laws and Arlington County ordinances.
 - Civil liabilities.
 - Safety responsibilities.
 - Dealing with the public.

2. Special Services Unit, Property Management Unit and Records Management Unit personnel

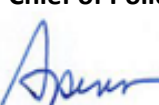
- Dealing with the public.
- Communications skills.
- Word processing skills.
- Computer data entry skills.

D. Annual Retraining - The Training and Career Development Unit, with the cooperation of section commanders will make every effort to provide annual retraining to all civilian public safety personnel using the resources of the Arlington Institute, the Northern Virginia Criminal Justice Academy and the Training and Career Development Unit.

Training and Career Development Unit personnel shall be responsible for maintaining all civilian public safety training records.



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513.03 Specialized Training

I. Policy

Specialized training is available to all employees in order to enhance the employee's skills, knowledge, and abilities and to provide awareness of career opportunities. Specialized training may address supervisory, management, or executive development training, or it may include technical and job-specific subjects such as crime scene processing or criminal investigation. Employees in specialized assignments or performing certain functions are required to receive specialized training.

II. Procedure

- A. Specialized training and a certificate of satisfactory completion are required before engaging in the following functions:
- Radar/LIDAR operator
 - Breathalyzer operator
 - Polygraph examiner
 - Motor carrier safety inspector
 - Firearms instructor
 - Academy instructor
- B. The length and location of the specialized training may vary based upon the function. Training may be provided by the Northern Virginia Criminal Justice Academy (NVCJA), outside agencies or in-house programs including supervised on-the-job training. Training will include at least the following:
1. Review of Police Department Manual sections, standard operating procedures and policies specifically related to the function.
 2. Technical aspects and performance standards related to the function.
 3. Administrative requirements and relationships of the function to other parts of the department.
- C. The following specialized assignments require specialized training before the employee performs the duties:
- Master Police Officer
 - Field Training Officer

- Academy Instructor assigned to NVCJA
- Firearms Instructor assigned to the firing range
- Canine Officer


With the exception of specialized assignments dealing with investigative functions (e.g., undercover assignments) all anticipated special assignments will be announced department wide and will be open to any candidate possessing the predetermined qualifications.

Selection for specialized assignments will be made by the Chief of Police, in consultation with the Division Commanders and after review of all applications. All assignments will be made based on the skills, knowledge and abilities required, including formal education and experience.

At least annually, Division and Section Commanders shall conduct a review of each specialized assignment under their command. This review will include an evaluation of the initial problem or condition that required the implementation of the specialized assignment and a cost-benefit analysis of continuing it.



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513.04 Advanced Training

I. Policy


Participation in advance training serves to raise law enforcement standards and knowledge and impart higher level supervisory and management skills to participants (e.g., FBI National Academy, the Southern Police Institute, Northwestern University Center for Public Safety).

II. Procedure

- A. Selection Criteria - The Chief of Police, with the advice of the Deputy Chiefs, shall select personnel to attend advanced training using the following criteria:
 1. Personnel shall be at the rank of Sergeant or above.
 2. Sergeants shall have been at the rank for a period of at least one (1) year prior to selection to attend advanced training.
 3. Personnel shall have performed satisfactorily in their position for the one (1) year prior to attendance at advanced training.
- B. Assignment of Personnel - Upon completion of advanced training, personnel shall supply the Training and Career Development Unit with the information required by Manual directive *513.01 Training* section II.C.2.i. Assignment of personnel shall be at the discretion of the Chief of Police.
- C. Mandatory Training Requirements - The Training and Career Development Unit will attempt to ensure that any participant attending advanced training is certified as having attended an MIR.



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514.03 Property Transactions

I. Policy


Employees are prohibited from purchasing or obtaining County owned property and items that come into the custody of the police department, even if the items are being disposed of and made available to the general public. This includes County owned vehicles, property sold at auction, property held for safekeeping, weapons, or any other items. It is also important to note that [Article 5-101 \(2\) of the Arlington County Purchasing Resolution](#), prohibits County employees from buying surplus County property.

II. Procedure

- A. No member is permitted directly or indirectly to accept as a gift, to purchase, to trade, or to confiscate for personal use, any item of value which comes to their attention as a result of departmental employment.
- B. No member shall solicit or accept directly or indirectly any gift, reward, gratuity, loan, fee, service or any other thing of value arising from or offered because of their police employment.
- C. No member shall sell or trade any item of value or perform any service, to any complainant, suspect, witness, defendant, prisoner or other person involved in any type of police activity, which has come to the member's attention or which arose out of their departmental employment, except as may be specifically authorized by the Chief of Police.
- D. No property will be released, given or sold, as final disposition, to a member of this department unless they are the legal owner or custodian. All members are reminded of their responsibility for ensuring that property seized or recovered is returned to the rightful or lawful owner.



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513.05 Roll Call

I. Policy

Roll Calls are intended to be regular informational or instructional meetings that keep employees well-informed and up-to-date on a variety of activities such as assignments, policies, criminal cases, and training updates.

II. Procedure

A. Operations Roll Call

1. Patrol and Special Operations

- a. Roll call will be conducted at the beginning and end of each shift's tour of duty and will include, but not be limited to the following:
 - 1) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations, current/potential hazards, directed patrol activity, stolen vehicle information, changes in the status of wanted persons, and important investigation information.
 - 2) Notifying officers of assignments.
 - 3) Informing officers of new/revised directives.
 - 4) Evaluating officer readiness to assume patrol.
 - 5) Provide personnel with roll call training.
 - 6) Normally, roll call will be completed within 30 minutes, but may be extended to hold training or briefings on more complex matters.
 - 7) Supervisors may forego normal roll calls as a result of operational restrictions, but under such circumstances are still expected to provide timely roll call information to officers in the field.

2. Community Resources, Operational Support, and Tactical Operations Sections

- a. Roll Call times are not specified for these Operations Division components, but will be conducted on a regular basis and in similar fashion to A.1. above.

3. Criminal Investigations Division (CID)


- a. CID Roll Calls will convene monthly and will be conducted in similar fashion to A.1. above.

B. Roll Call Training

When conducting formal Roll Call training, the responsible supervisor should consult with the Training & Career Development Unit to ensure that the training is consistent with current department policy, procedure, and training protocol. The supervisor should also ensure compliance with documentation and approval requirements as enumerated in Manual directive *513.01 Training*, since formal Roll Call training provided to one unit may be made available to other units or the entire department.



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514.06 Non-Cash Expenditures

I. Policy

All of the police department's appropriated funds are encumbered and/or expended by means of a variety of non-cash fiscal activities. The following are examples of departmental non-cash fiscal activities:

- Invoice Payments
- Requisitions and Purchase Orders
- Interdepartmental "chargebacks"
- Travel/Training Expenses
- Print Shop Work Orders
- Department of Technology Services Work Orders
- Purchase Card Expenses

Transactions involving the use of any of the above listed non-cash fiscal activities result in a "charge" against the police department's budget.

II. Procedures

All Division requests which entail the encumbrance/expenditure of Police Department funds, including non-cash expenditures and requests for additional personnel, services, supplies and/or equipment, will be submitted through Division channels for review and approval by the appropriate Deputy Chief. All spending decisions must have the approval documented in a memo or an official email forwarded to Fiscal Management Unit before processing.

The Police Department's Budget Analyst will keep the Chief of Police and the Deputy Chiefs informed as to the availability of funds for proposed encumbrances and/or expenditures. For fiscal management purposes, the Budget Analyst will assign "appropriation account numbers" to all approved non-cash fiscal activities.


In conducting non-cash fiscal activities, Police Department personnel will follow the guidelines and abide by requirements outlined not only in departmental directives but also in the:

- Arlington County Purchase Card Manual
- Arlington County Purchasing Resolution
- Arlington County Purchasing Manual

The department's Budget Analyst should be contacted concerning any questions as to forms and format or procedures.



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514.09 Grants

I. Policy

All grant proposals, applications and awards will be processed through the department grants coordinator and must be reviewed and approved by the Executive Staff prior to submission to a grantee, donor, or other external funding source. Additionally, any resulting grant, gift, or contract must be formally accepted by the Arlington County Board prior to the grants coordinator establishing a contractual relationship with a funding source or agency.

II. Definitions

- A. Grantor - Any person, business, private or civic association, or government agency (except Arlington County Government) offering a grant opportunity.
- B. Grant - Any conditional offer to provide funding, equipment, or supplies that encourages discretionary department programs or activities, as well as any conditional gift of money, equipment, or supplies intended to support departmental activities. Grant offerings need not be competitive or be offered by a government entity.
- C. Grants Coordinator – The Grants Coordinator is assigned to the department's Fiscal Management Unit. The Grants Coordinator seeks and identifies potential grant opportunities for the police department, oversees the development of all grant related proposals, operating procedures, and budgets. The Grants Coordinator will complete, or cause to be completed, administrative forms associated with grant applications and subsequent County Board reports, manages all related award and programmatic activity, all equipment procurement, as well as all grant reporting. The Grants Coordinator is also responsible for all re-applications and requests for extensions for funding.

III. Procedure

- A. All personnel are encouraged to notify the Grants Coordinator of grant opportunities that they deem potentially beneficial for a particular program. An employee proposing a grant-funded program should meet with the Grants Coordinator to assist in preparing a memorandum that details a budget, departmental costs, personnel/staffing impacts, purchasing requirements and considerations, any grant-required match, as well as

reporting requirements. The memorandum will be submitted through the employee's chain of command for consideration for their program. If the proposed program is deemed to have merit and is approved by their chain of command it will be presented at the Executive Staff Meeting. The Office of the Chief will notify the Grants Coordinator whether or not to move forward with the grant application.

B. In cases where a specific individual, unit, section, or division is expected to implement or participate in a grant program, the Grants Coordinator may delegate certain tasks to, or require certain information from, the affected individual, unit, section, or division.

1. Types of assistance that may be required may include:

- Suggestions for programmatic activities and/or operating procedures.
- Cost estimates and/or recommended budgets.
- Submission of background information and/or statistical data.
- Preparation of a written narrative for the grant application and/or a written Board Report.


2. Activities and responsibilities that may not be delegated include:

- Responsibility for completion of grantor-provided application forms and/or contractual pages.
- Consultation with or appearance before the County Attorney, Department of Management and Finance, the Office of the County Manager, or the County Board. In unusual circumstances, however, a representative of the affected unit, section, or division may be requested to accompany the Grants Coordinator to answer technical questions beyond the coordinator's expertise.

C. Upon notification of an award, the Chief of Police shall designate a project director (in some instances this director may have been selected prior to the submission of the application).



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517.04 Specialty Vehicles

I. Policy

Various types of specialty vehicles are maintained and operated by the department for unique, narrowly defined purposes. These vehicles are subject to the same regulations that apply to department vehicles as outlined in Manual directive 517.02 *Vehicle Operations*, as well as to the additional regulations established by this directive.

II. Definitions

- A. Department Vehicle - is a device owned or leased by the County in which a person or property is or may be transported. This shall include bicycles, mopeds, and any other device affixed to a vehicle, such as a trailer.
- B. Marked Police Vehicle - is a vehicle that includes an exterior display of the County or department insignia, emergency equipment and is identified with the word "police."
- C. Unmarked Police Vehicles – is a vehicle that has interior mounted emergency equipment but does not have visible County or department insignia displayed.
- D. Special Use Vehicles – are various types of specialty vehicles that are maintained and operated by the department for unique, narrowly defined purposes as outlined in this directive. For policy purposes, special use vehicles shall not be considered marked on unmarked vehicles.

III. Procedures

General Requirements - For purposes of maintenance and administration, each specialty vehicle is assigned to a specific division, section, district, or unit whose commander bears managerial responsibility for the vehicle's proper use and maintenance. In fulfilling this responsibility, the commander may delegate maintenance tasks and place appropriate limitations upon the vehicle's use and deployment.

Supervisors will be held accountable to ensure that employees authorized to operate specialty vehicles and equipment have proper training. Unauthorized employees shall not operate a specialty vehicle without supervisory approval.

A. Specific Vehicles

1. Motorcycles – Special Operations Section (SOS) officers who have been trained and certified on the use of police motorcycles operate such vehicles during the course of routine duties. Motorcycle deployment requires no special authorization, however, deployment shall not occur when poor weather increases the inherent risks of motorcycle operation beyond acceptable levels.
 - a. Personnel assigned to motorcycles shall wear helmets and carry the items necessary to complete their immediate duties.
 - b. Officers deployed on motorcycles are authorized to perform all of the activities and functions performed by officers in marked police vehicles, except that they shall not transport prisoners, passengers or equipment that cannot be secured in a saddlebag.
 - c. Officers on motorcycles are permitted to initiate vehicle pursuits, but shall relinquish pursuit duties according to Manual directive 517.03 *Vehicle Pursuits*, as soon as it is practical to do so without jeopardizing the success of the pursuit.
2. Bicycles – Department employees may operate bicycles during routine patrol and special events. No special authorization is required to deploy bicycles, however, deployment shall not occur when poor weather renders bicycle use impractical or unacceptably dangerous.
 - a. Personnel assigned to ride bicycles shall wear helmets and carry the items necessary to complete their immediate duties, but shall not carry the full range of personal equipment normally carried in a department vehicle. No unusual or specialized police equipment shall be stored upon bicycles.
 - b. Operators shall adhere to all traffic laws, rules of the road, particularly single file riding and stopping at traffic signals and signs. Operators shall not speed indiscriminately on bike trails or public or private roadways. When passing pedestrians or other bikers, timely audible warnings shall be given.
 - c. Employees deployed on bicycles are authorized to perform all patrol activities under their purview, except that they shall not:
 - 1) Transport prisoners.
 - 2) Transport an additional passenger.
 - 3) Transport recovered property or equipment that cannot be placed in a pocket, pouch, saddlebag, or other small, securely fastened enclosure.
 - 4) Participate in pursuits unless the object of the pursuit is on foot or is riding a bicycle.

- d. The responsibility for conducting daily safety inspections of bicycles rests with each individual operator prior to commencing each tour of duty. Operators are expected to know how to change a flat tire and how to remount both the front and rear wheel with provided tools.
 - e. Equipment failures shall be brought to the attention of the designated supervisor. During evening and weekend hours, mechanical breakdowns shall be handled by the designated repair shop. Employees using this service should ask that the highest priority be given to fixing department bicycles. If a department bicycle is left for repair, the designated supervisor shall be advised of that fact at the employee's earliest convenience. Receipts for work performed should be obtained each time such service is performed and provided to the designated supervisor.
3. Segway Human Transporter (HT) – Segway's enhance community interaction, provide a timely police response to calls for service, and improve mobility over traditional foot patrol assignments. Only those employees who have completed a department approved training course shall operate a Segway and must wear a helmet.

The Segway's are not limited to, but should be considered:

- As an alternative to traditional foot patrol assignments.
- For advanced parking enforcement.
- As a positive interaction during special events and other events with large crowds.
- For employees assigned to areas of high visibility such as athletic events, school related activities, jogging paths and parking lots.

Segways are manufactured for only one person to ride and may require extended periods of time standing in an upright position. Employees deployed on a Segway HT are authorized to perform all patrol activities under their purview, except that they shall not:

- Participate in pursuits, unless the object of the pursuit is on foot or riding a bicycle.
- Operate the Segway without regard to terrain and visibility conditions.
- Transport prisoners.
- Transport an additional passenger, recovered property or equipment that cannot be placed in a pocket, pouch, saddlebag, or other small, securely fastened enclosure.

While a Segway may be used in foot pursuits, it is the responsibility of the operator to be aware of their surroundings and proceed as conditions dictate.

Employees shall ensure their Segway is in safe operating condition before each tour of duty. Any damage or malfunction shall be reported to the employee's supervisor.

In the event the Segway is damaged, it will not be used for patrol operations. Any defect or damage will be reported immediately to the Segway coordinator or an on-duty supervisor.

When not in operation, a Segway must be recharged in a secure area. Keys are not to be left with the unit while left unattended.

4. Canine Vehicles - Officers who have been assigned a police dog are issued a vehicle whose interior has been modified to accommodate the animal. In all other respects, canine vehicles are the same type of vehicles used by general patrol officers. Consequently, no unique training is required to operate a canine vehicle. Officers in canine vehicles are authorized to perform all of the functions of officers in marked police vehicles, with the following restrictions:
 - a. With the exception of immediate family members, any canine vehicle in which a dog is actually present shall not be used to transport prisoners or civilian passengers who are not employed with the department.
 - b. Officers in canine vehicles are permitted to initiate vehicle pursuits, but shall relinquish pursuit duties according to Manual Directive 517.03 *Vehicle Pursuits*, as soon as it is practical to do so without jeopardizing the success of the pursuit.

Canine vehicles normally carry the same equipment found in marked police vehicles, as well as selected items unique to the needs of the animal. For additional regulations pertaining to the use of canine vehicles, see Manual directive 537.06 *Canine Patrol*.

5. Prisoner Transport Wagon – The prisoner transport wagon is assigned to the Operations Division with the primary purpose of transporting prisoners. It may also be deployed for preventive patrol and may be used to transport large amounts of recovered property. No unique training is required to operate the prisoner transport wagon.
 - a. The prisoner transport wagon is authorized to perform all of the functions of a marked police vehicle, except that it shall not participate in vehicle pursuits.
 - b. Officers operating the prisoner transport wagon shall not make traffic stops, respond to unassigned calls, or otherwise detour from their prescribed destinations when actively transporting prisoners. This prohibition shall not apply in emergencies where the risk to third parties outweighs the risk of escape by, or injury to, the prisoner.
 - c. The authority to request the prisoner transport wagon is granted to all sworn and auxiliary officers.
 - d. For additional regulations pertaining to the use of the prisoner transport wagon, see Manual directive 536.05 *Arrestees*.

6. Crime Scene Investigation Vehicles - The Master Police Officer (MPO) vehicles are assigned to the Criminal Investigations Section and may be specially equipped for crime scene processing at major incidents. With the exceptions of transporting prisoners or other civilians not employed with the department, officers operating a MPO vehicle shall follow all provisions of Manual directive 517.02 *Police Vehicles*.
7. SWAT Truck - A Special Weapons and Tactics truck is assigned to the Operations Division. Qualified members of the SWAT team are authorized to use the equipment on this vehicle. Operation of this vehicle does not require a special driver's license or unique vehicular training. Familiarization training on the characteristics of the vehicle and its highly sophisticated weaponry is provided to each SWAT team member. The SWAT truck may be deployed by any member of the SWAT team. Officers operating the SWAT truck shall not:
 - a. Participate in vehicle pursuits.
 - b. Perform routine traffic stops.
 - c. Transport prisoners.

The truck shall be equipped with various weapons, ammunition, tools, and equipment. The precise complement of these items shall be determined by the SWAT team. For additional information, refer to Manual directive 537.04 *Emergency Response Team* and the SWAT Team SOP.

8. Armored Personnel Carrier (APC) - A heavy ballistic and multi-hit truck designed to transport SWAT members into high-risk areas. The APC is assigned to the Operations Division and qualified members of the SWAT team are authorized to operate and use the equipment on this vehicle. The Chief of Police or SWAT team supervisor may authorize the use of APC for any specialized task in the National Capital Region. Upon authorization, the APC may be deployed by any member of the SWAT team. Operation of this vehicle does not require a special driver's license or unique vehicular training. Familiarization training on the characteristics of the vehicle is provided to each SWAT team member. Officers operating the APC truck shall not:
 - a. Participate in vehicle pursuits.
 - b. Perform routine traffic stops.
 - c. Transport prisoners.

The APC may be equipped with various weapons, ammunition, tools, and equipment. The precise complement of these items shall be determined by the SWAT team.

9. Mobile Command Bus (MCB) - The MCB is assigned to the Operations Division for use at critical incidents and preplanned events. Operation of this vehicle does not require a special driver's license; however, authorized users must have completed familiarization training on the vehicle's characteristics and equipment. Officers operating the MCB shall not:


- a. Participate in vehicle pursuits.
- b. Perform routine traffic stops.
- c. Transport prisoners.

Deployment of the MCB shall be authorized by the Chief of Police, his designee, or by the on-scene commander of a critical incident or pre-planned event.

- 10. Crisis Negotiation Unit (CNU) Vehicle – the CNU vehicle is assigned to the Operations Division. It is deployed during a critical incident or preplanned event. Only members of the CNU are authorized to operate the vehicle and the equipment on it. Officers operating the CNU vehicle shall not:
 - a. Participate in vehicle pursuits
 - b. Perform routine traffic stops
 - c. Transport prisoners
- 11. Trailers – Various types of trailers are utilized by the Department. The purpose of these trailers is to transport equipment to and from various locations, including incident scenes. The precise type of equipment carried within a trailer depends upon the nature of its use at any given moment.
 - a. Supervisory approval is required to deploy a trailer. When in use, a trailer is affixed to a self-propelled vehicle such as a police vehicle or van by way of a standard, commercially available trailer attachment device. No employee shall affix a trailer to a motor vehicle by other than standard, approved methods.
 - b. Any licensed driver employed by the Department is authorized to operate a vehicle with an attached trailer. Such personnel are not required to possess any special class of driver's license, and are not required to undergo formal trailer training. Supervisors shall ensure that employees assigned to operate vehicles with attached trailers are familiar with the unique characteristics of trailer operation before they operate a tandem unit. Employees operating a vehicle with an attached trailer shall not engage in vehicle pursuits.
 - c. The proper care and maintenance of trailers is the responsibility of the commander of the unit which is the primary user of the trailer. A commander may delegate specific tasks associated with such care and maintenance to any employee within their command.



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517.07 License Plate Recognition Systems

I. Policy

The use of License Plate Recognition (LPR) equipment is intended to provide sworn law enforcement personnel with an automated method of identifying vehicles and license plates that have a specific interest to law enforcement. The use of LPR equipment shall be limited to law enforcement purposes only and deployed in a manner consistent with this policy. Assignment of LPR equipment within the agency is made by the Chief of Police or designee and based upon the needs of the department.

II. Definitions

- A. License Plate Recognition (LPR) system – Equipment consisting of a camera(s), a central processing unit (CPU), camera/power/data wires and software used to automatically recognize and interpret the characters on vehicle license plates. This data is then compared against a list of license plates bearing some significance to law enforcement.
- B. Hot List – A database populated with items of specific concern to the investigative and/or enforcement interests of law enforcement in Arlington County. This may include, but is not limited to, Terrorist Screening Center (TSC) watch list, sex offender registry, stolen/wanted vehicles and license plates, wanted and missing persons, cautions, and license plates associated with Amber Alerts or various watch lists provided for law enforcement purposes.
- C. Download – Transfer of data from the Virginia State Police database consisting of license plate associated data. This download is done automatically through the ACPD LPR server.
- D. Alarm – Also known as “hit”. A positive indication, by visual and/or audible signal, of a potential match between data on the “hot list” and a license plate scanned by the LPR system. A hit is not conclusive confirmation that a license plate is wanted, and additional investigation is always warranted when a hit is indicated.
- E. LPR Generated Data – All information, including location, date and time of a license plate encounter, the OCR interpolated data, and any LPR generated digital photographic image(s) of the license plate and vehicle generated entirely through the use of and by the LPR equipment.

- F. LPR Server System Administrator – Designee in Public Safety Information Technology responsible for the LPR Server. Responsibilities include overseeing upgrade installations, maintenance, and adding and removing authorized users to the server. Ensures that the electronic “Hot List” and other downloads are automatically disseminated from the LPR server to deployed LPR units on a regular basis.
- G. LPR Coordinator – Designee in the department responsible for the vehicle and trailer LPR equipment. Responsibilities include the installation, removal, maintenance, updating and tracking of the equipment. The coordinator shall instruct individual users on the proper procedures for operating the LPR equipped vehicles.

III. Procedure

This procedure establishes basic guidelines to be used in the deployment of LPR equipment by department personnel. It applies to use by personnel throughout the department, regardless of assignment.

A. LPR User

1. All operators shall receive training from the LPR Coordinator, or his designee, prior to using the LPR system.
2. It shall be the responsibility of each LPR user to verify that the most current “Hot List” from the ACPD LPR server has been downloaded prior to deployment of the LPR equipment. If the “Hot List” is not the most current version, it is the responsibility of the LPR user to contact the Department LPR Coordinator or LPR Server System Administrator.
3. Upon receiving an alarm, the LPR operator should determine the accuracy of the “hit”. The LPR operator will visually verify that the actual vehicle tag and the read on the LPR screen are the same (i.e. from the same state, etc.). The operator will confirm the “hit” is still active by running the information through NCIC/VCIN via the MDC or through the ECC. Receipt of an LPR alarm is not sufficient probable cause to warrant an arrest without additional verification.
4. The LPR operator will ensure that they are in a position to safely determine the accuracy of the “hit,” in accordance with all safety requirements in manual section *560.02 Mobile Data Terminal*.
5. Additional information may be entered into the LPR system at any time. Broadcast information received during a tour of duty should be manually entered immediately upon receipt by the LPR operator. The reason for the entry shall be included in the “note” portion of the entry screen (i.e. stolen vehicle, missing person, abduction, Amber Alert, robbery suspect), as well as the case number (if incident occurred in Arlington), the date of entry and contact information for the entering officer.

6. Upon completing a manual entry, the operator should query the LPR data to determine if the license plate was scanned previously.
7. If an LPR operator encounters a vehicle with a TSC “hit”, they shall either complete a Case Report or a Field Investigation depending on the below circumstances:
 - a. A Case Report shall be completed if the LPR operator has probable cause, other than the “hit”, to perform a traffic stop of the vehicle and can initiate the stop in a safe manner.
 - b. A Field Report shall be completed if the LPR operator encounters a vehicle with a TSC hit:
 - (1) Without probable cause to initiate a stop.
 - (2) When the officer cannot safely stop the suspect vehicle or the LPR police vehicle.
 - (3) If the vehicle is parked or unoccupied.

The Case Report or Field Investigation shall have Homeland Security written on the top of the report.

B. Deployment

1. Operation of LPR equipped vehicles shall be in accordance with the manual section *517.02 Police Vehicle Operation*.
2. Supervisors should make every effort to deploy LPR equipped vehicles on a regular basis. LPR equipped units should be identified on daily worksheets.
3. The Department's covert LPR trailers shall be assigned to the Auto Squad Unit. The supervisor of the Auto Squad Unit shall be responsible for deploying the covert LPR Trailer and maintaining the covert LPR trailer when not actively deployed.

C. Data Retention, Access, and Dissemination

1. LPR equipment has the capability to automatically store and/or cause to store data collected during the license plate detection and identification phase of use. LPR generated data that is not part of an active criminal investigation shall not be routinely retained for a period greater than 6 months without specific authorization by the Chief of Police or designee.
2. The LPR Server System Administrator is responsible for management of user accounts. Authorized users shall be limited to current employees who are legally authorized to review LPR data for crime prevention and detection purposes. Each potential user shall submit a request for a login and password to the Department's LPR System Administrator, via their chain of command.


3. Each authorized user agrees that LPR generated data, "Hot List" information and the networking resources are to be used solely for law enforcement purposes only and consistent with the law. Authorized users shall not use or share the information for any unethical, illegal, or criminal purpose. Under no circumstances shall officers share LPR data with any non-law enforcement agency. Any requests for LPR information from a non-law enforcement agency shall be forwarded to the Office of Professional Responsibility.
4. An authorized user shall not conduct a secondary search for LPR data owned by an agency that has connected their LPR server to the Department's LPR server at the request of another agency (e.g. an Arlington officer authorized to access the Department's LPR server may not search for LPR data owned by Loudoun County at the request of a Fairfax County officer).
5. An authorized user shall not access information in an LPR Repository by using a name or password that was assigned to another person, including another user.

D. Maintenance

1. Under no conditions should an LPR operator attempt to modify the LPR equipment or software operating system.
2. LPR camera lenses may be cleaned with glass cleaner or mild soap and water, and a soft, non-abrasive cloth.
3. Damage to LPR equipment shall be immediately reported to a supervisor. The supervisor shall document (and investigate, if necessary) the damage in accordance with established procedures.
4. The LPR coordinator shall be notified of any LPR equipment needing maintenance or repair, and will coordinate all maintenance and repair with the appropriate vendor. The vehicle need not be removed from service once the damaged LPR unit is secured or removed from the vehicle.
5. LPR cameras and CPU units shall be removed from a vehicle that is sent out for repairs at a facility other than the County repair yard. The LPR coordinator shall be notified to remove the LPR equipment.
6. Any time the LPR unit is disconnected, dismounted or removed from the vehicle, it shall be stored and secured in such a manner to prevent damage to the equipment.



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518.02 Clothing Standards (Civilian Attire)

I. Policy

Non-uniformed personnel officially represent the Department in their contacts with the public and with other professionals in the criminal justice community. It is imperative, therefore, that these personnel present a neat, clean, and professional appearance, in order that the public's confidence in the Department will remain high and other criminal justice workers may discharge their duties in an environment that is conducive to effective performance.

Accordingly, non-uniformed personnel shall dress and groom themselves in a fashion that does not diminish public respect for the Department, and does not distract fellow workers or otherwise disrupt the workplace.

II. Procedure

A. Departmental Standards

1. All clothing worn in the workplace shall be clean, neat in appearance, properly fitting, and worn in a manner consistent with normal usage. Shorts are prohibited, as are t-shirts and tank tops when worn as an outer garment.
2. When not dressed in uniform, male personnel appearing in court, participating in government hearings, or attending formal ceremonies, etc., shall wear a dress shirt and trousers, a business or sports jacket, and a necktie. Non-uniformed female personnel engaged in the above activities shall wear appropriate business attire (e.g., dress, business suit, etc.).
3. Except when working undercover or engaged in athletic activities, all personnel (sworn and civilian) shall carry their departmental identification. Sworn personnel shall also carry their issued badge, and when outside the secure areas of the police facility shall carry handcuffs, a handcuff key, and an issued or authorized firearm (see directive 538.01 for weaponry and holstering requirements).
4. Firearms and handcuffs shall be concealed from view when worn among the general public unless a police badge or other clearly recognizable departmental identification is worn.
5. Sworn personnel working in civilian attire shall have a uniform, including duty gear and other designated uniform items, immediately available to them at the worksite (see directive 518.01 for uniform requirements).

6. A supervisor may require an improperly attired employee to leave the workplace to secure proper clothing, and may place the employee in an appropriate leave status (e.g., vacation, compensatory, LWOP) during the employee's resulting absence.


B. Unit-level Standards

Commanders of divisions, sections, districts, and units are authorized to establish more restrictive civilian clothing standards for their personnel when, in their opinion, the operational and/or public relations needs of their respective commands so require.

The aforementioned standards shall be published in the SOP of the affected command, or via memorandum in cases where no SOP exists.



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521.01 Policing the Metro Rapid Rail Transit System

I. Policy

To establish a policy for policing the rapid rail by the Arlington County Police Department in conjunction with the Washington Metropolitan Area Transit Authority Police Department.

II. Procedure

A. Jurisdiction and Primary Policing Responsibilities - Arlington officers will have concurrent jurisdiction with Metro Transit Police on all WMATA property in Arlington County, however each agency will assume primary policing responsibilities as follows:

1. Arlington County Police Department officers will have primary police responsibility in stations, parking lots and on platforms of the Crystal City, Pentagon City, Rosslyn, Court House, Clarendon, Virginia Square/GMU, Ballston/Marymount University and East Falls Church stations.
2. Metro Transit Police will have primary police responsibility for the Arlington Cemetery and Pentagon stations; and on Metro trains, tracks and in tunnels throughout the Metro Rapid Rail system. However, Arlington officers will not be precluded from taking police action on a Metro train or along any Metro rail line in Arlington County should circumstances warrant such action. The Metropolitan Washington Airport Authority will have primary police responsibility for the Reagan National Airport Station.

B. Departmental Responsibilities and Procedures

1. Case Reports - The Arlington County Police Department and Metro Transit Police will be responsible for reporting incidents which occur in their respective "primary areas of jurisdiction" as described in Part II.A. above. However, officers of either agency shall not be precluded from taking reports in the other's primary areas of jurisdiction should conditions warrant such action. The Metro Transit Police will utilize an Arlington County Police Department Incident Number on all reports prepared by that agency.

Copies of all reports prepared by Metro Transit Police will be delivered to the Arlington County Police headquarters at the expiration of each tour of duty. These reports will then be processed along with Arlington County Police reports. The Arlington County Police Department will provide Metro Transit Police with copies of all reports of incidents occurring on WMATA

property. Members of either police agency will have access to records which are necessary for that agency to fulfill its responsibilities.

2. Arrest Authority and Procedures

- a. Arrest Authority - Metro Transit Police arrest authority is limited to violations committed on WMATA property. This limitation does not preclude Metro Transit officers from making fresh pursuit outside transit facilities for violations committed against WMATA property, patrons or personnel.

When the initial apprehension is made by a Metro Transit Police officer, he/she will be considered the arresting officer for prosecution purposes.

- b. Arrest Procedures - When an arrest is to be effected, it should be made by the officer observing the violation, or, circumstances permitting, by the first officer on the scene.

ACPD shall transport the arrestee if a unit is available and so requested. Arlington sheriffs shall perform all booking and identification work on arrests made by Metro Transit officers in Arlington County and processed through the Arlington County Criminal Justice System.

- c. Breath Tests - Arlington officers will conduct all breath tests.
- d. Citations for Misdemeanors - Metro Transit Police officers have authority to issue summonses for misdemeanors committed in their presence. They will utilize summons forms provided by Arlington County.
- e. Court Procedures - Arlington officers and Metro Transit Police will appear in court as necessary to testify in any matter resulting from their police action. Officers of either department will appear and assist as witnesses, as necessary, in a court hearing. The Arlington County Police Court Liaison Officer will assist Metro Transit Police with information related to court schedules and appearances.
- f. Crowd Control - Arlington officers and Metro Police will provide crowd control for demonstrations or disturbances occurring in and around WMATA facilities.
- g. Death or Injury Notices - The police agency with the primary police function will be responsible for notification of next of kin of death or injury.
- h. Detention of Prisoners - Persons arrested by Metro Transit Police will, if legally ordered, be incarcerated in the Arlington County Detention Center. All juveniles detained or arrested by Metro Transit Police will be processed in accordance with Arlington County criminal justice procedures, with assistance from Arlington officers as necessary.

- i. Investigations and Crime Scene Processing - All follow-up investigations will be accomplished by following the joint policing concept; i.e., Arlington County Police Department officers will have primary investigative follow-up responsibility for incidents occurring in stations and in parking lots; Metro Transit Police will have primary responsibility for incidents occurring on trains, tracks and in subway tunnels.

Metro Transit Police will provide crime scene processing for incidents occurring in stations, parking lots, trains, tracks and in subway tunnels. Arlington County Police Department officers will provide crime scene processing for incidents investigated by the Arlington County Police Department and will provide assistance to Metro Transit Police when requested.

- j. Property and Evidence - Arlington officers will process and retain in the Arlington County Detention Center all prisoners' property resulting from arrests by either police agency.

All evidence collected will be preserved and presented by the police agency with the primary police function. All firearms officially coming into the possession of a Metro Transit Police officer in the course of an incident or investigation in Arlington County, and requiring criminal analysis, will be submitted to the Northern Virginia Crime Laboratory through the assistance of the Arlington County Police.


- k. Securing and Executing Warrants - Metro Transit Police will secure and execute warrants necessary to the discharge of their official duties. If an NCIC or VCIN entry is made for the subject of the warrant, issued in Arlington, the warrant must remain on file in the Arlington Police Department.

When it is necessary to secure a search warrant, Metro Transit Police officers may request the assistance of Arlington County Police Department officers.

- l. Towing from WMATA Property - If it is determined that Arlington County Police have jurisdiction, necessary towing will be handled by Arlington County Police contract firms under the terms of the existing contract.



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523.06 Translation Services

I. Policy


Police services will be accessible to all persons, including those who do not speak English, through the use of an on duty translator or a translation service provider offered through the Emergency Communications Center.

II. Procedures

- A. On-Duty Translators - Officers in need of translation services shall first attempt to locate another officer, public service aide, or civilian departmental employee who fluently speaks the foreign language in question. (Officers shall not utilize arrestees as translators, unless exigent circumstances exist).
- B. ECC Translation Resources - The ECC maintains a translation and interpretation services contract that includes most of the major languages of the world.
 1. Officers needing language translation services will contact the ECC at (703) 558-2222.
 2. Provide the ECC employee with your name, badge number and the language required.
 3. Prior to connecting to the interpreter, advise the ECC call-taker if they need to remain on the line as a party to the conversation.
 4. An ECC call-taker will facilitate the connection between the interpretation service provider and the officer.



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533.07 Exposure Control Plan

I. Policy

All employees of the Arlington County Police Department who may be exposed to bloodborne pathogens in the course of their assignments are required to follow the provision of the Exposure Control Plan. The Exposure Control Plan shall be reviewed and updated as necessary to reflect significant changes in tasks or procedures.

II. Definitions

- A. Blood - Human blood, human blood components, and products made from human blood.
- B. Bloodborne Pathogens - Pathogenic microorganisms that are present in the human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
- C. Clinical Laboratory - A workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.
- D. Contaminated Laundry - Laundry that has been soiled with blood or other potentially infectious materials or may contain sharps.
- E. Contaminated Sharps - Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.
- F. Decontamination - The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or items to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.
- G. Engineering Control - Controls (e.g., sharp disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogen hazard from the workplace.
- H. Exposure Incident - A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties.
- I. Handwashing Facilities - A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machine.

- J. Licensed Healthcare Professional - A person whose legally permitted scope of practice allows him or her to independently perform the activities required by hepatitis B vaccination and post-exposure evaluation and follow-up.
- K. HBV - Hepatitis B virus.
- L. HIV - Human immunodeficiency virus.
- M. Occupational Exposure - Reasonable anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious material that may result from the performance of an employee's duties.
- N. Other Potentially Infectious Materials - The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; Any unfixed tissue or organ (other than intact skin) from a human (living or dead) and; HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV- containing culture medium or other solutions; and blood, organs or other tissues from experimental animals infected with HIV or HBV.
- O. Parenteral - Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts and abrasions.
- P. Personal Protective Equipment - Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard, are not considered to be personal protective equipment.
- Q. Production Facility - A facility engaged in industrial-scale, large-volume or high-concentration production of HIV or HBV.
- R. Regulated Waste - Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharp; and pathological and microbiological waste containing blood or other potentially infectious materials.
- S. Source Individual - Any individual, living or dead, whose blood or other potentially infectious material may be a source of occupational exposure to the employee. Examples included, but are not limited to hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drugs and alcohol treatment facilities; residents of hospices and nursing homes; human remains; and individuals who donate or sell blood or blood components.
- T. Sterilize - The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

- U. Universal Precautions - An approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.
- V. Work Practice Controls - Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

III. Procedure

- A. Exposure Determination – As required by the Code of Federal Regulations (CFR) Title 29 - Labor [§1910.1030 Bloodborne Pathogens](#) the following jobs are classified by the police department as having occupational exposure to blood or other potentially infectious materials:
 - 1. Police Officers - Searching suspects and/or vehicles; transporting and booking suspects; CPR; handling of evidence or property that may contain infectious bodily fluids; accident investigations; crime scene investigation and processing; dealing with combative subjects. **(Applies to all sworn employees.)**
 - 2. Warehouse Technicians - Handling recovered evidence or property that may contain infectious bodily fluids.
 - 3. Public Service Aides – Dealing with combative subjects; searching impounded vehicles; handling recovered property or evidence that may contain infectious bodily fluids.
- B. Potential exposure includes but may not be limited to:
 - 1. Contaminated needle stick injury.
 - 2. Blood and/or fluid contact with rescuer's mucous, membrane of eyes, nose, mouth, or skin.
 - 3. Blood and/or body fluid in contact with open skin (non-intact skin).
 - 4. Cuts with sharp instruments covered with blood and/or body fluid.
 - 5. Any injury sustained while cleaning contaminated equipment.

★ Contact limited to merely being in the presence of a person suspected of having a communicable disease requires no special action.
- C. Exposure Response - The following actions should be taken in the event of a possible exposure incident:
 - 1. Whenever there is contact with potentially infectious blood or body fluids through open wounds, mucous membranes, or parenteral routes, cleanse affected area. The employee should report the incident to the supervisor and request a consultation with the health care provider designated by the County. As soon as possible after a potential exposure to bloodborne pathogens the employee's supervisor must complete the County

Bloodborne Illness Exposure Report and at their discretion a Supervisor's Incident/Accident Report so that the health care provider can evaluate the incident and make a recommendation accordingly (see Attachment A).

2. If the infectivity status of the source individual is unknown, the employee's blood will be tested as soon as feasible after consent is obtained, if required. If the source individual's blood is available, and the source's consent is not required by law, the blood shall be tested and the results documented. Identification and testing of the source individual will be in accordance with the Code of Virginia, [§32.1-45.1](#). *Deemed consent to testing and release of the test results related to infection with human immunodeficiency virus or hepatitis B or C viruses.*, and [§32.1-45.2](#). *Public safety employees; testing for blood-borne pathogens; procedure available for certain citizens; definitions.*
3. The exposed employee's blood shall be collected as soon as feasible after consent is obtained, and tested for HBV, HCV and HIV serological status. If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the samples shall be preserved for at least (90) days. If, within (90) days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.
4. The exposed employee will be offered post-exposure prophylaxis as recommended by a County health care professional (see Attachment A). The exposed employee will be offered counseling and medical evaluation for any reported illnesses.
5. The following information will be provided to the healthcare professional evaluating an employee after an exposure:
 - a. A copy of [29 CFR §1910.1030](#) bloodborne pathogens standard.
 - b. A description of the exposed employee's duties as they relate to the exposure incident.
 - c. Documentation of the routes of exposure and circumstances under which exposure occurred.
 - d. Results of the source individual's blood testing, if available.
 - e. All medical records relevant to the appropriate treatment of the employee including vaccination status.
6. Arlington County Occupational Health shall obtain and provide the employee with a copy of the evaluating healthcare professional's written opinion within (15) days of the completion of the evaluation. The written opinion will be limited to the following information:
 - a. The employee has been informed of the results of the evaluation.
 - b. The employee has been told about any medical condition resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.

All other findings shall remain confidential and shall not be included in the written report. Employees who decline post exposure evaluation and follow-up, offered by the County, must sign a Post Exposure Evaluation and Follow-up Declination form. (See Attachment B)

- D. Medical Surveillance - All evaluations, procedures, vaccinations and post-exposure management shall be provided to the employee at a reasonable time and place, according to standard recommendations for medical practice.
- E. Methods of Compliance - Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious material.
 - 1. Engineering and Work Practice Control shall be used to eliminate or minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used. Engineering controls should include the use of devices such as, but not limited to, sharps containers, biologic safety cabinets, self-sheathing needles, etc.
 - 2. Engineering and Work Practice Controls will be maintained or replaced on a regular schedule. The review of the effectiveness of the controls should be conducted at least annually by the department safety/accident review committee.
 - 3. Handwashing is a primary infection control measure which is protective of both the employee and patient. Appropriate hand washing must be diligently practiced. Employees shall wash hands thoroughly using soap and water whenever hands become contaminated and as soon as possible after removing gloves or other personal protective equipment. When other skin areas or mucous membranes come in contact with blood or other potentially infectious materials, the skin shall be washed with soap and water, and the mucus membrane shall be flushed with water as soon as possible. In circumstances where handwashing facilities are not feasible, alternative hand cleansing protocols; such as antiseptic hand cleansing protocols; such as antiseptic hand cleanser used in conjunction with clean cloth/paper towels, or antiseptic towelettes are appropriate. When an alternative is used, hands shall be washed with soap and running water as soon as feasible.
 - 4. Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials.
 - 5. Food and drink shall not be kept in refrigerators, freezers, shelves, and cabinets or on countertops or benchtops where blood or other potentially infectious materials are present. Mouth pipetting/suctioning of blood or other potentially infectious material is prohibited.

6. Employees shall use appropriate techniques to minimize splashing, spraying, spattering, and generation of droplets during procedures involving blood or other potentially infectious materials.
 7. Used/contaminated needles and other sharp objects shall not be sheared, bent, broken, recapped, or resheathed by hand. Used needles shall not be removed from disposable syringes.
 8. Specimens of blood or other potentially infectious materials shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping. The container must be closed before being stored, transported or shipped.
 9. Containers must be labeled/colored-coded if they go out of the facility (labeling must also be used in house if all specimens are not handled using universal precautions).
 10. If outside contamination of the primary container occurs, or if the specimen could puncture the primary container, the primary container shall be placed within a secondary container which prevents leakage, and/or resists puncture during handling, processing, storage, transport, or shipping.
 11. Assess equipment for contamination, and decontaminate, if possible, before serving or shipping. Equipment which has not been fully decontaminated must have label attached with information about which parts remain contaminated.
- F. Hazard Communications - Employees will be informed of hazards through a system of labeling or color-coding, as determined by the department, as well as a training program.
1. Warning labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious materials; and other containers used to store, transport or ship blood or other potentially infectious materials. Contaminated equipment shall also be labeled in this manner. Information about the portions of the equipment that remain contaminated shall be added to the label.
 2. Labels shall be fluorescent orange or orange-red with lettering or symbols in a contrasting color. The label is either to be an integral part of the container or affixed as close as feasible to the container by the method which prevents loss or unintentional removal of the label. The label shall have the biohazard symbol and the text Biohazard. Red bags or red containers may be substituted for the warning label.
 3. The labels/color-coding described here are not required in the following instances:
 - a. When containers of blood, blood components, or blood products are labeled as to their contents and have been released for transfusion or other clinical use.

- b. When individual containers of blood or other potentially infectious materials are placed in labeled containers during storage, transport, shipment or disposal.
 - c. When regulated waste has been decontaminated.
- 4. Warning labels, including the orange or orange-red biohazard symbol, must be affixed to containers of the regulated waste refrigerators and freezers, and other containers which are used to store or transport blood or other potentially infectious materials. Red bags or red containers may be used instead of labeling. Labeling is not required:
 - a. Within a facility which uses universal precautions in its handling of all specimens.
 - b. When regulated waste has been decontaminated.
 - c. When all laundry is handled with universal precautions.
- G. Personal Protective Equipment - The department shall provide and ensure that employees use appropriate personal protection equipment such as, but not limited to, gloves, mask, and eye protection, resuscitation bags, pocket masks, and other ventilation devices. However, employees may temporarily and briefly decline to use personal protective equipment when, under rare and extraordinary circumstances, it is the employee's professional judgment that in the specific instance its use would prevent the delivery of health care or public safety services or would pose an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstance shall be investigated by the employee's immediate supervisor and documented in order to determine whether changes can be instituted to prevent such circumstances in the future.

Personal protective equipment, in the appropriate sizes, shall be readily accessible at the worksite, or will be issued to the employee. Examples of procedures which require personal protective equipment and the type of protection to be used are listed in Attachment C.

If a garment is penetrated by blood or other potentially infectious material, the garment shall be removed as soon as possible and placed in a designated container for laundering or disposal. All personal protective equipment shall be removed before leaving the work area; it shall be placed in assigned containers for storage, washing, decontamination or disposal.

- 1. Protection for Hands - Gloves shall be worn in the following situations:
 - a. When it can be reasonably anticipated that hands will contact blood or other potentially infectious materials, mucous membranes, and non-intact skin.
 - b. When performing vascular access procedures (only exception is for phlebotomists in volunteer blood donation centers).
 - c. When handling or touching contaminated items or surfaces. For examples of procedures in which gloves are required refer to Attachment C.

Disposable gloves shall be replaced as soon as feasible when contaminated, torn or punctured, or when their ability to function as a barrier is compromised. Do not wash or decontaminate single use gloves for re-use.

Utility gloves may be decontaminated for re-use if the gloves are in good condition. Discard when gloves are cracked, peeled, torn, punctured or show other signs of deterioration (whenever their ability to act as a barrier is compromised.)

2. Protection for Eyes/Nose/Mouth - Employees shall wear masks in combination with eye protection devices (goggles or glasses with solid side shields or masks with attached eye shields) or chin-length face shields whenever splashes, spray, spatter, or droplets or blood or other potentially infectious material may be generated and eyes, nose, or mouth contamination can be reasonably anticipated.
3. Protection for the Body - A variety of garments including gowns, aprons, lab coats and clinic jackets are to be worn in occupational exposure situations. Surgical caps or hoods and/or shoe covers or boots shall be worn in instances when gross contamination can reasonably be anticipated.

H. Housekeeping

1. Equipment and Environmental and Working Surfaces - Clean contaminated work surfaces with appropriate disinfectant:
 - a. After completing procedures.
 - b. Immediately or as soon as feasible when overtly contaminated or after any spill of blood or OPIM.
 - c. At the end of the work shift if the surface may have become contaminated since the last cleaning.

Remove and replace protective covering (e.g. plastic wrap, aluminum foil, etc.) over equipment and environmental surfaces as soon as feasible when overly contaminated or at the end of the work shift if they may have become contaminated.

Regularly inspect/decontaminate all reusable bins, pails, cans, and similar receptacles which may become contaminated with blood or OPIM. If these articles become visibly contaminated, they should be decontaminated immediately or as soon as feasible. Supervisors must establish the frequency of inspection and decontamination.

2. Special Sharp Precautions - Clean up broken glass which may be contaminated using mechanical means such as a brush and dustpan, tongs, or forceps. Do not pick up directly with the hands.

Reusable containers are not to be opened, emptied or cleaned manually or in any other manner which will expose employees to the risk of percutaneous injury. Do not reach by hand into a container which stores reusable contaminated sharps.

3. Waste Containers - Containers will be identified either by a biohazard label or the color red will be used. If a label is used it must be fluorescent orange or orange-red with the biohazard warning and symbol in a contrasting color. The label must be either an integral part of the container or attached as close as is feasible to the container by string, wire, adhesive or other method that prevents its loss or unintentional removal. Regulated waste that has been decontaminated need not be labeled or color-coded.

Containers must be closed prior to moving/removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping. If the outside of the container becomes contaminated, it is to be placed in a second container which must have the same characteristic as the initial container as discussed above. Waste containers are to be disposed of in accordance with the Virginia Department of Environmental Quality, [Regulated Medical Waste Management Regulations](#).

4. Laundry - Employees who handle contaminated laundry are to wear protective gloves and other appropriate personal protective equipment.

Contaminated laundry shall be handled as little as possible with a minimum of agitation. Do not sort/rinse laundry in location of use. Place in container/bag where it is used. Wet contaminated laundry that may soak through or cause leakage from bag or container will be placed and transported in bags or containers which prevent soak-through and/or leakage of fluids to the exterior.

Bags/containers will identify by a biohazard label or the color red will be used. If the facility utilizes universal precautions in the handling of all soiled laundry, alternative labeling or color-coding is acceptable if it permits all employees to recognize the containers as requiring compliance with universal precautions.

Each department must specify where laundry will be cleaned. When contaminated laundry is shipped off site to a second facility which does not use universal precautions, the bags or containers must be labeled with biohazard label or be color-coded in red.

- I. Cleaning and Disinfection - The department shall repair or replace personal protective equipment as needed to maintain its effectiveness or provide for the cleaning, laundering or disposal of required personal protective equipment and determine and implement a written schedule for cleaning of equipment and methods of disinfecting, based on the location, type of surface to be cleaned, type of soil present, and tasks or procedure being performed.

- J. Hepatitis B Vaccination - Arlington County shall make available Hepatitis B vaccinations and boosters to all employees who have a potential for occupational exposure. This shall be done after training and within (10) working days of their assignment to a job which may involve occupational exposures and at no cost to the employee. In addition, the employee will be offered post-exposure evaluation and follow-up at no cost should they experience an exposure incident on the job. Employees who decline Hepatitis B Vaccination, offered by the County, must sign the statement of declination (see Attachment D).

All medical evaluations and procedures including Hepatitis B vaccination series, whether prophylactic or post-exposure, will be made available to the employee at a reasonable time and place. This medical care will be performed by or under the supervision of a licensed physician, physician's assistant, or nurse practitioner. Medical care and vaccination series will be according to the most current recommendations of the U.S. Public Health Service. A copy of the bloodborne pathogens standard will be provided to the healthcare professional responsible for the employee's hepatitis B vaccination.

All laboratory tests will be conducted by an accredited laboratory at no cost to the employee.

1. Hepatitis B Vaccination Procedure - The vaccination is a series of three injections. The second injection is given one month from the initial injection. The final dose is given six months from the initial dose. At this time a routine booster dose is not recommended, but if the Center for Disease Control, at some future date recommends a booster, it will also be made available to exposed employees at no cost.

The vaccination will be made available to employees after they have attended training on bloodborne pathogens and within (10) working days of initial assignment to a job category with exposure. The vaccination series will not be made available to employees who have previously received the complete Hepatitis B vaccination series; to any employee who has immunity as demonstrated through antibody testing; or to any employee for whom the medically contraindicated.

2. Training Requirements - All Arlington County employees who are at risk for occupational exposure must participate in the training program. Arlington County employees who are not at risk for occupational exposure may participate in the training at their request.

Training shall be provided at the time of initial assignment and at least annually thereafter. The person(s) conducting the training shall be knowledgeable in the subject matter covered. The trainer(s) must have expertise in the area of occupational health and the transmission of bloodborne pathogens. The trainer must be familiar with the manner in which the elements in the training program relate to the particular workplace.

Training shall consist of explanations of bloodborne diseases and their modes of transmission. Training must include a discussion of the Exposure Control Plan, how to handle exposure incidents, engineering and work practice controls, personal protective equipment use, the vaccination and follow-up program and the labeling and sign system. The following content will be included:

- a. Explanation of the bloodborne pathogens standard.
- b. General explanation of the epidemiology, modes of transmission and symptoms of bloodborne diseases.
- c. Explanation of this exposure control plan and how it will be implemented.
- d. Procedures which may expose employees to blood or other potentially infectious material.
- e. Control methods that will be used at this facility to prevent/reduce the risk of exposure to or other potentially infectious material.
- f. Explanation of the basis for selection of personal protective equipment.
- g. Information on the Hepatitis B vaccination program including the benefits and safety of vaccination.
- h. Information on procedures to use in an emergency involving blood or other potentially infectious materials.
- i. What procedures to follow if an exposure incident occurs.
- j. Explanation of post-exposure evaluation and follow-up procedures.
- k. An explanation of warning labels and/or color-coding.

- K. Recordkeeping - The evaluating health care professional shall establish and maintain accurate records for each employee having an occupational exposure(s) for at least the duration of employment plus (30) years. Should the healthcare professional change, they are obligated to maintain the records for the appropriate length of time or transfer records to the next provider. Any records received by Arlington County Occupational Health and Wellness are maintained according to OSHA guidelines.

All employees medical records shall be kept confidential and are not reported to any person within or outside the workplace, except as required by law.

All training records shall comply with [29 CFR 1910.20](#) and shall be maintained for (3) years.

Attachment A

PROCEDURE FOR POTENTIAL EXPOSURE

Post Exposure Evaluation and Follow-Up

1. A potential exposure occurs.
2. Clean exposed area.
3. Notify supervisor.
4. Notify County contract healthcare professional (HCP).
5. The employee and supervisor complete the County Bloodborne Illness Exposure report form. Supervisor calls Alexis.
6. The HCP will evaluate and determine whether or not an exposure has occurred. The HCP will make arrangements for blood tests for the exposed if it is determined that an exposure has taken place and makes recommendations regarding source testing.

An employee may have blood drawn but may refuse baseline testing at that time. The blood sample will be held for a period of ninety days by the CHP and the employee may elect, at any time during the ninety days, to have the baseline testing completed. If the employee refuses to have blood drawn, the employee must sign the Post Exposure Evaluation and Follow-up Letter of Declination. The HCP will advise the employee that without a baseline HBV, HVC, or HIV status further compensation may be jeopardized.

If the source individual will not consent to blood testing, the HCP must notify the County Safety Officer and County Attorney on the next day so that applicable portions of the Code of Virginia relative to informed consent may be invoked.

7. No exposure – the employee is so advised and the paper work is forwarded. The CHP submits a copy of the Confidential Physician Follow-up report to the County Occupational Health Unit within five working days.
8. If an exposure has occurred – the HCP will advise the employee of recommended testing and treatment and explain the benefits and side effects of taking post exposure prophylaxis (PEP) and HBV vaccine.
9. The employee will make the decision to use or not use PEP or HBV vaccine.
 - a. YES – If the employee does not have an established immunity or previous vaccination for HBV, the HCP will administer the initial HBV vaccine and immune globulin and the first dose of PEP, as appropriate

The HCP will provide sufficient dosage of PEP for three days. The remaining dosage may be obtained from the HCP at a more convenient time which still ensures the continuity of treatment.

The HCP will submit the report of exposure to the County Occupational Health Unit within five working days

- b. NO – The employee completes the Post Exposure Evaluation and Follow-up Letter of Declination and the HCP will advise the employee that possible, future compensation could be jeopardized without baseline BHV, HCV, HIV testing. The HCP will forward the letter of declination, exposure reporting form and Confidential Physician Follow-up report to the County Occupational Health Unit within five working days.

The letter of declination will be placed in the employee's medical records.

- 10. The HCP will provide the Occupational Health Unit and the employee with a copy of the HCP's evaluation. The Occupational Health Unit will assist the HCP in notifying the employee if necessary.
 - a. The HCP's written opinion shall be limited to whether or not Hepatitis B vaccine is indicated for the employee, and if the employee has received such vaccination.
 - b. That the employee has been informed of the results of the evaluation; and
 - c. That the employee has been informed of the results of the source individual's evaluation.
 - d. That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
 - e. All other findings or diagnoses shall remain confidential and shall not be included in the written report.
- 11. The cost of evaluation and treatment shall be the responsibility of Arlington County and shall be provided at no cost to the employee.

Attachment B

POST EXPOSURE EVALUATION AND FOLLOW-UP DECLINATION (MANDATORY)

I understand that I may be at risk for acquiring serious disease(s) due to my occupational exposure to blood or other potentially infectious materials. I have been given the opportunity for post exposure evaluation and follow-up, at no charge to myself. I understand that effective prophylactic treatment must be initiated as soon as possible after the exposure incident. Any delay in the initiation of prophylactic treatment may render such treatment ineffective. I decline these services at this time: (please check the appropriate boxes).

- ☐ I decline HIV Post Exposure Prophylaxis.
- ☐ I decline HBV vaccination.
- ☐ I decline baseline blood testing.
- ☐ I consent to have my blood, drawn but not tested at this time.

If I consent to a blood sampling without testing of the sample, I may, within the following ninety (90) days, request that the sample be tested and receive evaluation and follow-up at no cost to myself. After ninety days the sample will be disposed of. I understand that by declining these services, I continue to be at risk of acquiring a serious disease(s). If in the future I have an occupational exposure to blood or other potentially infectious materials and I want to receive a post exposure evaluation and follow-up, I can receive these services at no charge to me.

EMPLOYEE'S SIGNATURE

DATE

Attachment C

EXAMPLE OF RECOMMENDED PERSONAL PROTECTIVE EQUIPMENT

Source publication - *Guidelines for Prevention of Transmission of HIV and HBV to Health Care and Public-Safety Workers*. Reprinted from DHHS (NIOSH) Centers for Disease Control, 1989, HHS Publications #89-107, Table 4. *Examples of Recommended Personal Protective Equipment for Worker Protection Against HIV and HBV Transmission in Prehospital Settings*.

<u>Task or Activity</u>	<u>Disposable Gloves</u>	<u>Gown</u>	<u>Mask</u>	<u>Protective Eyewear</u>
Bleeding control with spurting blood	Yes	Yes	Yes	Yes
Bleeding control with minimal bleeding	Yes	Yes	No	No
Emergency childbirth	Yes	Yes	Yes, if splashing is likely	Yes, if splashing is likely
Blood drawing	Yes	No	No	No
Starting an intravenous (IV) line	Yes	No	No	No
Endotracheal intubation, Esophageal obturator use	Yes	No	Yes	Yes
Oral/nasal suctioning, manually cleaning airway	Yes	No	Yes	Yes
Handling and cleaning Instruments with microbial Contamination	Yes	No, unless soiling is likely	No	No
Measuring blood Pressure	No	No	No	No
Measuring temperature	No	No	No	No
Giving an injection	No	No	No	No

ATTACHMENT D

LETTER OF DECLINATION: HEPATITIS B VACCINE

HEPATITIS B VACCINE DECLINATION (MANDATORY)

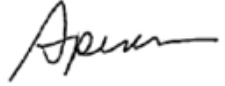
I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. I decline hepatitis B vaccination at this time. I understand that by declining the vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

EMPLOYEE'S SIGNATURE

DATE



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 24, 2017	Amends/Supersedes: October 1, 2016 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): N/A			

512.04 On-Duty Injury/Accident

- I. Policy** - Any accident or incident involving a county employee or county property, or damage or injury caused by a county employee or county property, must be reported. Employees shall immediately report any accident or incident to their supervisor, regardless of the amount of property damage or the extent of injuries. Both the employee and the employee's supervisor are responsible for completing the appropriate forms and making additional notifications, as required.

Employees must comply with all required actions relating to an employee accident or incident, as outlined in [A.R. 2.7](#), AC Source and any additional requirements imposed by this Department.

II. Definitions

- A. Workers' Compensation Panel of treating Clinics, Physicians, and Hospitals - A listing of medical vendors which must be used for reimbursement in compensable occupational injuries, illnesses or diseases.
- B. Report of an Incident or Hazardous Situation – A County form used to report all non-vehicular incidents or hazardous situations involving County personnel or property. This form may also be used to report any potentially or confirmed unsafe working conditions, equipment, material or other hazard, to the attention of the County.
- C. Arlington County Vehicular Incident Report Form - A County form for reporting any accident or incident involving a county vehicle, or a personally owned vehicle being used on county business.
- D. Bloodborne Illness Exposure Report – A County form for reporting bloodborne illness exposures.
- E. Claims Adjusting - All claims against the County or involving County personnel or equipment must be reported to the Office of Risk Management within 24 hours of the incident.

III. Procedures

- A. Employee Injury - Employees shall immediately notify their supervisor of any on-duty injury. Upon receiving this notification, a workers' compensation claim shall be filed.

1. Supervisor's Responsibilities

- a. File a workers' compensation claim online using AC Source. In the event that the online system is down, a claim may be reported via telephone to the County's Third Party Adjudicator (TPA). Claims shall be reported as soon as possible, but no later than 24 hours after the incident.
- b. Supervisors shall ensure that copies of the workers' compensation claim are provided to the injured employee, the employee's Commander and the Human Resources Management Section, Personnel & Recruitment Section.
- c. Provide the injured employee with a copy of the Workers' Compensation Panel of Treating Clinics, Physicians and Hospitals packet.
- d. Upon receiving a completed disability certificate, submit a copy to the Department's Human Resources Management Section, and email a copy to the County's Office of Risk Management.
- e. Inform the employee that a claims adjuster from the TPA will contact them regarding their claim.

2. Employee's Responsibilities

- a. Immediately notify your supervisor of the injury.
- b. Seek medical treatment from a clinic, hospital or physician listed in the Workers' Compensation Panel of Treating Clinics, Physicians and Hospitals packet. Employees refusing to use this panel may be liable for related medical bills.
- c. Have the authorized workers' compensation physician complete the disability certificate, verifying disability leave. If the physician recommends specific work restrictions, the employee shall request light duty assignment following the procedures in Manual Directive 511.09 *Temporary Light Duty*. Copies of completed disability certificates shall be submitted to your immediate supervisor. The employee should ensure a copy has been submitted to HRMS.
- d. Prior to returning to full-duty, submit a medical certificate from a qualified healthcare provider authorizing/approving the return to full duty status.

Under no circumstances shall a supervisor's judgment be substituted for that of the physician. The Workers' Compensation Office is responsible for determining if an injury is covered under the Virginia Workers' Compensation Act and if the employee is eligible for disability leave.

- B. Exposure to Infectious Diseases - Employees shall immediately notify their supervisor of any on-duty exposures to diseases.

1. Supervisor Responsibilities

- a. Contact the contracted infectious disease physician and speak with the on-duty doctor to determine if the incident is deemed to be an occupational exposure.
- b. If the incident is an occupational exposure, file a workers' compensation claim following the procedures under section III.A of this directive.
- c. Complete the Bloodborne Illness Exposure Report and submit a copy to the employee's Commander and the Human Resources Management Section, Personnel & Recruitment Section.

2. Employee Responsibilities

- a. Immediately notify your supervisor of the exposure.
- b. If the exposure is deemed an occupational exposure, seek medical treatment from the contracted infectious disease physician. Treatment may include the testing of a blood sample. Employees refusing to submit a blood sample may jeopardize their workers' compensation claim.
- c. Follow the workers' compensation procedures under section III.A. of this directive.

C. County Vehicle Accident – Any accident involving a county vehicle, or a personally owned vehicle being used on county business, must be reported immediately to the employee's supervisor. The following documentation shall be completed:

1. Arlington County's Vehicular Incident Report Form.
2. A Workers' Compensation Report, if the employee is injured from the accident.
3. A state accident report must be completed for any accident involving a county vehicle where a third party or their property is involved.
4. The local police should be contacted and requested to take a report, if the accident or incident occurs outside of Arlington County.

The supervisor shall submit electronic copies of the Vehicular Incident Report Form and related photos to the Office of Risk Management, the Equipment Bureau and the Department's Support Management Section Commander. A hard copy of the documentation shall be submitted to the employee's Commander, via their chain of command.


Under no circumstances should a county driver admit to any wrongdoing at the scene of an accident or incident, or state that the county will be responsible for repairs.

Any employee, on or off-duty, involved in a vehicle accident in Arlington County shall have a police supervisor respond to the accident. The supervisory officer will exercise discretion as to traffic or criminal charges and forward the proper documentation to the employee's supervisor for review and consideration of any administrative action that may be required.

- D. Traffic Infractions – The Chief of Police shall be notified via memorandum through the chain of command if:
 - 1. Any Department employee receives a traffic citation or summons, or is charged with a motor vehicle violation while driving a county vehicle, or a personal vehicle on county business.
 - 2. An officer issues a traffic citation or summons to an on-duty employee of another department within Arlington County Government.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: November 3, 2017	Amends/Supersedes: May 14, 2015 May 1, 2015 December 1, 2011 November 4, 2009 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.01.02, OPR.01.03, OPR.01.04, OPR.01.10			

517.02 Police Vehicles

I. Policy

The department provides vehicles to support official business and may personally assign vehicles to promote and enhance public safety within the community. This policy establishes a system of accountability to ensure department vehicles are used appropriately and attempts to establish a balance between a quick but safe response to emergencies. Officers will be held responsible for urgency of response.

II. Definitions

- A. Department Vehicle - is a device owned or leased by the County in which a person or property is or may be transported. This shall include motorcycles, bicycles, mopeds, and any other device affixed to a vehicle, such as a trailer.
- B. Emergency Response – a level of response to emergencies or urgent situations, generally using emergency lights and siren, in which the officer proceeds quickly and directly, while having due regard for the safety of others. An officer is authorized to disregard only those laws pertaining to vehicular traffic control as authorized in the Code of Virginia.
- C. Fleet Vehicles – a pool of unassigned, marked and unmarked Department vehicles.
- D. Marked Police Vehicle - is a vehicle that includes an exterior display of the County or Department insignia, emergency equipment and is identified with the word “police.”
- E. Non-Emergency Response – a level of response to routine, non-emergencies in which an officer proceeds at the first opportunity. During this type of response an officer shall comply with all traffic regulations and refrain from using emergency lights and siren.
- F. Personally Assigned Vehicle – a department vehicle assigned to individual officers which, when not in use, is parked at a pre-designated location within the County or at an officer’s home. Motorcycles must be kept in a secured enclosed structure.

- G. Special Use Vehicles – are various types of specialty vehicles that are maintained and operated by the Department for unique, narrowly defined purposes (see Manual Directive 517.04 – *Specialty Vehicles*). For policy purposes, special use vehicles as defined in Manual Directive 517.04 *Specialty Vehicles* shall not be considered as marked on unmarked vehicles.
- H. Unmarked Police Vehicles – is a vehicle that has interior mounted emergency equipment but does not have visible County or Department insignia displayed.

III. Procedure

A. Use of Department Vehicles

1. Fleet vehicles should only be used for police related activities. A fleet vehicle may be used for police related functions outside the County with prior permission from the appropriate Section Commander.
2. An officer shall use only the fleet vehicle specifically assigned unless prior permission has been obtained from a supervisor.
3. An officer's family or any other citizen may be transported in a department vehicle, when approved by the Section Commander.
4. Under most circumstances, the use of department vehicles is restricted to sworn officers. The Chief of Police may authorize the use of department vehicles by civilian staff operating within the scope of their employment. This does not prohibit the repair or testing of a vehicle by County mechanics within the scope of their employment.
5. An employee should not operate a county owned or leased vehicle while on light duty, while on restricted duty or administrative leave, or while in any paid leave status other than vacation, family sick or compensatory leave. Any exemptions to this directive are at the discretion of the Chief of Police.

B. General Operating Procedures

1. When operating a department vehicle, officers will carry their badge, department identification and shall be armed. Civilian staff operating a Department vehicle will carry their department identification.
2. While operating a department vehicle, the police radio will be turned on and employees are expected to remain alert to all radio transmissions. Officers shall use their badge number as a unit designation when making off-duty radio transmissions.
3. Occupants of department vehicles shall wear seatbelts, unless impractical.
4. Department vehicles shall be secured at all times when not in use.
5. Department vehicles, except special use vehicles as defined in Manual directive 517.04 *Specialty Vehicles*, shall be equipped with flares.

6. Officers on routine patrol, or otherwise operating in a non-emergency or off-duty status, will obey all applicable traffic laws. All officers are responsible for operating vehicles in a safe manner.
 7. Department vehicles shall be operated with due regard for community safety, in a manner prescribed by [VA Code §46.2-920](#).
 8. A department vehicle shall not be driven at a speed that would constitute reckless disregard for the safety of persons or property. Officers responding to an emergency shall be particularly cautious when proceeding against a red light or stop sign.
 9. An officer shall not push a disabled vehicle from the roadway with a department vehicle.
 10. Employees shall make every effort to park their department vehicle legally. This may not be possible when responding to a call for service. A Department vehicle parked so as to interfere with passing traffic should have the emergency lights activated.
 11. Except in an emergency, a department vehicle will not be operated over terrain which may be expected to damage the vehicle.
- C. Police Response to Incidents - The department's policy is geared towards achieving a safe, expeditious response to emergency situations. The following are guidelines designed to provide officers with flexibility when responding to calls.
1. Non-Emergency Response – Most calls for police service do not require an expedited response unless information is available to the Emergency Communication Center (ECC) or patrol officers that a quick response is necessary to prevent loss of life, injury or to apprehend suspects. If the ECC receives additional information indicating the necessity of an expedited response, the dispatcher will provide the information to the responding units. In addition, if an officer is responding to a non-emergency incident and has information based on their knowledge of crime problems may upgrade to an emergency response.

Supervisors will continuously monitor calls assigned to officers in order to:
 - a. Appropriately direct operations.
 - b. Modify the responses.
 - c. Make decisions concerning tactics and deployment, if necessary.
 2. Emergency Response – An emergency response is warranted when the circumstances are such that a quick response is necessary to prevent or minimize injury to any person and/or increase the likelihood of apprehending suspects.
 - a. An emergency response is authorized in the following circumstances:
 - i. Officer in trouble.

- ii. Incident involving the imminent threat of injury or death.
 - iii. Apprehension of violators of traffic or criminal laws where an expedited response is warranted based on the factors below.
- b. The following factors should be considered before initiating an emergency responses:
 - i. Nature and seriousness of the suspected offense.
 - ii. Geographic location.
 - iii. Time of day.
 - iv. Road conditions.
 - v. Weather conditions.
 - vi. Visibility.
 - vii. Other vehicular and pedestrian conditions.
- 3. Tactical Response - Officers should, in most circumstances, use emergency lights and siren during an emergency response. The [Code of Virginia §46.2-920](#) permits limited circumstances in which an emergency vehicle may operate without the use of a siren. Factors to consider include:
 - a. The seriousness of the suspected offense, the geographic location, time of day, road conditions, weather conditions, visibility, and other vehicular and pedestrian conditions, the officer determines that it is appropriate to do so for a limited time.
 - b. This response improves safety to the responding officers by increasing their tactical advantage.
 - c. This response increases the likelihood of apprehending the suspect.

If the emergency vehicle is operated without the use of emergency lights and siren, the driver forfeits the implied right of way granted to emergency vehicles by statute.

D. Personally Assigned Vehicles

- 1. To promote and enhance public safety by providing timely and effective responses to emergencies, the Chief of Police may authorize personnel, who reside within 40 miles of the Arlington County line and within the Commonwealth of Virginia, to operate personally assigned vehicles to and from work.
- 2. Personally assigned vehicles are issued to officers at the discretion of the Chief of Police and are contingent upon:
 - a. The needs of the Department.
 - b. Vehicle availability.
 - c. Satisfactory work performance.
 - d. Compliance with Departmental procedures.

3. Personally assigned vehicles may be used for official and personal business within Arlington County; but shall only be used for official police business outside the County.

E. Vehicle Operation while Off-Duty or in a Non-Uniformed Capacity

1. When operating a Department vehicle in an off-duty capacity, officers should be dressed in a manner in which they can function effectively as a police officer.
2. An officer driving a department vehicle while off-duty should render assistance in an observed situation representing a health or safety hazard, or when summoned by a citizen. An officer is expected to respond to an incident involving physical violence if in the vicinity of the call. Upon arrival of on-duty units, the off-duty officer shall assist assigned units as directed.
3. An officer, in uniform, should take appropriate police action if a moving violation is observed. Factors to be considered are the nature of the violation and the safety of all passengers in the department vehicle. A non-uniformed officer in a marked or unmarked department vehicles should not routinely make a vehicle stop for a traffic infraction, however, the severity or hazard posed by a serious violation may dictate action by the officer in an aggravated situation. In such cases, assistance from uniformed personnel should be obtained as soon as possible.

F. Inspection and Maintenance


1. Proper performance and appearance of a department vehicle and equipment shall be the responsibility of the officer to whom it is assigned.
2. Employees shall ensure that department vehicles are kept in a clean and presentable condition and must conduct an inspection of vehicles prior to their operation. This inspection will include:
 - a. All damage to the vehicle.
 - b. Fluid levels.
 - c. Tire pressure.
 - d. Presence of a gas card.
 - e. Whether all equipment is operational.
3. It shall be the responsibility of the operator of any department vehicle to fill the gas tank and check the following fluid levels prior to leaving the vehicle at the end of the shift:
 - a. Oil.
 - b. Transmission.
 - c. Power Steering.
 - d. Radiator.

Employees are reminded to only check radiator fluid when the reservoir is cold. Never uncap a hot radiator as severe burns can occur.

4. Department vehicles are inspected annually by the Office of Professional Responsibility. Sections may choose to inspect their vehicles more frequently.
5. All damage or deficiencies discovered on a department vehicle assigned to an officer must be reported to the officer's supervisor prior to the use of the vehicle. The supervisor will be responsible for completing the required forms for reporting such damage. All repairs of department vehicles due to damage shall be coordinated through the Support Management Section. Loss or damage to the vehicle or any equipment within it, by negligence, may result in disciplinary action.
6. Routine maintenance and repairs on all fleet vehicles will be performed once a month at or through facilities available at the Equipment Bureau on a prearranged schedule based on the vehicle shop number. Routine maintenance on all other vehicles will be performed once every four months. All routine maintenance on personally assigned vehicles will be the responsibility of the officer to whom the vehicle is assigned and performed through the facilities available at the Equipment Bureau.
7. An officer observing the necessity for maintenance or repairs shall report this fact to their supervisor. An officer shall not attempt to make any mechanical repairs other than minor emergency repairs.
8. An officer shall not install unauthorized equipment or accessories and shall not make any alterations to a department vehicle without first submitting a written request to the appropriate Division Commander via the Support Management Section and receiving approval.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: October 6, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.25.02			

522.01 NIBRS Reports

I. Policy

This department participates in the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) by submitting monthly crime data to the National Incident Based Reporting System (NIBRS). Participation in the NIBRS program promotes the development of good record-keeping and aids in the effort to establish a state and national data base of crime statistics.

II. Definitions

- A. [Uniform Crime Reporting Program \(UCR\) Program](#) – Federal law requires the Federal Bureau of Investigation (FBI) to collect and publish a reliable set of crime statistics for use in law enforcement administration, operation, and management.
- B. [National Incident Based Reporting System \(NIBRS\)](#) - Is part of the FBI, UCR Program and is an incident-based reporting system that collects crime data based on criminal incidents reported to law enforcement. The data include the nature and types of specific offenses in the incident, characteristics of the victim(s) and offender(s), types and value of property stolen and recovered, and characteristics of persons arrested in connection with a crime incident. The department submits its monthly NIBRS reports to the Virginia State Police, who are tasked by the Code of Virginia to compile and submit reports to the FBI on behalf of police departments throughout Virginia.
- C. Incident – For NIBRS reporting purposes, an incident is defined as one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place. Acting in concert requires that the offenders actually commit or assist in the commission of the crime(s). Same time and place means that the time interval between the offenses and the distance between the locations where they occurred were insignificant.


III. Procedure

In order to maintain adequate records to comply with NIBRS requirements, data from incident and arrest records is coded and entered into a computerized data base. Coding procedures are described in various operating manuals, such as the [Virginia Uniform Crime Reporting Incident-Based Procedure Guide Manual](#), the [National Incident Based Reporting System \(NIBRS\) User Manual](#), and the [Law Enforcement Records Management System \(LERMS\) User Guide](#). These manuals should be referred to for specific applications.

- A. Offense Coding – The Department shall ensure that the correct NIBRS offense codes are entered into the Law Enforcement Records Management System (LERMS) and reported to the State.
- B. Race and Ethnic Codes – In certain situations, including crime reports, criminal summonses, and the identification of suspects, the race and ethnic identification of a person is required. When used, race and ethnic identifiers shall be those indicated by NIBRS. All forms requiring documentation of a person's race shall also indicate the person's ethnic identification.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 4, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): N/A			

512.08 Chaplain

I. Policy

The Department maintains a Police Chaplain program to support the spiritual well-being of its members.

II. Procedure

- A. Appointment - The Police Chaplain is appointed by, serves at the pleasure of, and is directly responsible to the Chief of Police. The Chaplain is not required to take an oath of office and does not possess any police (sworn) authority. Normal coordination of efforts and scheduling of assignments are administered through the Commander of the Office of Wellness and Safety.
- B. Qualifications - The minimum qualifications for appointment include being an ordained member of the clergy in good standing with a recognized religious denomination; never having been convicted of a criminal offense or having engaged in criminal conduct which would be disqualifying for a police officer applicant; possessing or having the ability to obtain a valid driver's license. Additionally, the individual must have high personal, spiritual and moral standards and be willing to respond to situations where the presence of a chaplain is necessary or requested.
- C. Term - The Chaplain's tenure is contingent upon continued good standing with the religious organization the Chaplain represents. The Chief of Police shall be immediately notified of any separation from the Chaplain's parent organization. Upon termination of affiliation with the Police Department, the Chaplain will turn in any badge, identification card, or other issued equipment.
- D. Duties and Responsibilities - shall include but are not limited to the following:
 - 1. Provide for the spiritual and physical welfare of seriously injured or seriously ill police personnel or their family in the hospital or at home through liaison with a hospital Chaplain or similar resources.
 - 2. Respond to the scene or hospital as directed upon the death, serious injury or serious illness of an employee.
 - 3. Assisting with notifications of any suicide, death, or serious injury.
 - 4. Respond to major police incidents as requested or per Standard Operating Procedure.
 - 5. Attend and participate in funerals of employees as directed or requested.


6. Minister to Police personnel, their families, or the community upon their request.
7. Attend Department functions and ceremonies, as requested, to make invocations or perform similar functions.
8. Attend roll call or ride along with personnel to develop and expand the Chaplain's role in the organization.
9. Conduct local training of recruits and in-service training as requested.
10. Counsel employees with personal problems as requested.
11. Maintain liaison with the Department's psychologist and the County's Employee Assistance Program (EAP) where appropriate in counseling employees.
12. Maintain liaison with, and assist, the Peer Support Team as requested.
13. Provide liaison with other religious leaders and their organizations within the community.
14. Provide a liaison between the police and the religious community.

E. Confidentiality - Communications between the Chaplain and an employee shall be considered privileged and confidential. No personal information will be relayed to any third party, including Police Department personnel, unless the Chaplain assesses a clear and imminent danger to the employee or others. Notwithstanding the assessment of danger provision, no notification requirement shall exist involving a confessor/ penitent relationship between the Chaplain and employee.

F. Access - The Chaplain shall have access to all employees and areas of the Department, limited only by the necessity for operational security or safety of personnel as determined by a scene commander or supervisor at an incident scene. Access to sensitive areas of the department, such as the Organized Crime Section, Property Unit or Central Records may require supervisory clearance prior to entry.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: January 18, 2019	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): PER.05.01, PER.05.02, PER.05.03			

513.06 Career Development

I. Policy

To provide employees an opportunity for individual growth and development at all levels and encourage personnel to continue their formal education to achieve a minimum of a Bachelor's Degree from an accredited college or university. The Career Development Program is designed to promote productive, efficient, and effective job performance and to improve the overall level of job satisfaction by providing:

- A. Each employee with an annual review of the training, transfer, and promotional opportunities available at his/her level.
- B. All supervisory personnel with the training, staff support, and resource materials needed to fulfill their counseling and evaluation responsibilities.
- C. The Chief of Police with an annual review of the effectiveness of the Career Development Program, to include an assessment of the department's compliance with any equal employment opportunity or affirmative action objectives established by the Department and the County government.

II. Procedure


- A. Responsibilities of the Systems Management Division Commander
 - 1. Administer the Career Development Program.
 - 2. Maintain and distribute current information regarding schools and other training opportunities including:
 - a. Departmental In-service.
 - b. NVCJA.
 - c. County sponsored.
 - d. Other (i.e., college courses, seminars, etc.).
 - e. Educational assistance programs.
 - 3. Maintain and distribute information regarding requirements and procedures for lateral transfer within the department.
 - 4. Maintain and distribute information regarding requirements and procedures for promotion within the department.
 - 5. Maintain a record of all training provided to each employee.
 - 6. Administer the mandatory in-service retraining and other proficiency training programs.

7. Ensure that all personnel promoted and/or transferred to non-supervisory positions are scheduled to attend a skills development course applicable to that position, (i.e., an officer transferred to the Drug Enforcement Unit is given an opportunity to attend the D.E.A. school or similar course).
 8. Ensure that personnel promoted to the rank of Sergeant are scheduled to attend a first-line supervisor training class or an equivalent course; that personnel promoted to the rank of Lieutenant are scheduled to attend a mid-level supervisor training class or an equivalent course; and that personnel promoted to the rank of Captain are scheduled to attend a command level training class or an equivalent course.
 9. Ensure that civilian supervisory personnel receive supervisory and management training.
 10. Ensure that all supervisory personnel will attend E.E.O.C for supervisors training and are familiar with E.E.O.C. guidelines and affirmative action objectives established by the Chief of Police and the County government.
 11. Develop and maintain a list of schools and other training opportunities necessary to develop and maintain proficiency in those positions identified as career special positions.
 12. Administer any program of temporary assignments and/or job rotation currently in place, or established under Section B. below, including the temporary assignment of patrol officers to CID.
 13. Conduct an annual evaluation of the Career Development program and make suggestions for revision if necessary.
 14. Review the use of temporary assignments and/or job rotation as a component of the Career Development Program through a process that solicits input from each level of the department.
- B. Responsibilities of the Personnel and Recruitment Unit - Through coordination with the County Human Resources Department, develop a process for conducting an annual inventory of the skills, knowledge and abilities of each employee. Identify those positions within the department that are career special positions, and determine the skills, knowledge, and abilities required to perform at a satisfactory level in each position.
- C. Responsibilities of Department Supervisors
1. Familiarize themselves with the information distributed by the Systems Management Division Commander listed under section A. above.
 2. Participate in training programs designed to enhance career development and counseling.
 3. As part of each employee's annual performance appraisal, supervisory personnel will conduct career counseling to include the following:
 - a. Review of the employee's training record.
 - b. Review of the training programs that are applicable to the individual's current assignment.

- c. Review of the requirements and procedures for lateral transfer within the department.
- d. Review of the requirements and procedures for promotion within the department.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 13, 2018	Amends/Supersedes: N/A	By Authority of the Chief of Police  Charles A. Penn
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513.07 Use of Automated External Defibrillators

I. Policy

Employees are encouraged to enroll in CPR/AED training classes to obtain the knowledge and skills necessary to provide CPR and/or use an automated external defibrillator to assist someone experiencing sudden cardiac arrest until medics arrive on the scene.

II. Procedure

The Automated External Defibrillator (AED) is a portable device designed to induce electrical stimulation to the heart muscle in the event of potential cardiac arrest. The AED is capable of recognizing cardiac arrest that will respond to defibrillation, ventricular fibrillation, rapid ventricular tachycardia, and is capable of determining whether defibrillation should be performed. Once determined, the AED automatically charges and delivers an electrical impulse to the victim's heart. The AED is not used to monitor heart rhythm.

A. AED Program Coordinator

The Equipment/Fleet Manager assigned to the Support Management Section, shall be the AED program coordinator and shall manage all components of the AED program. The AED program coordinator's duties and responsibilities shall include, but not be limited to:

1. Coordinate initial training for employees in the use of the AED.
2. Maintaining a list of employees who are trained responders.
3. Test and maintain all AED devices in working order and in accordance with the manufacturer's recommendations.
4. Coordinate and participate in incident reviews involving the use of an AED.
5. Ensure that the use of an AED has been documented.
6. Provide the Office of Professional Responsibility with an annual written readiness review of the AED program.

B. Authorized AED Responders


1. Only employees who have successfully completed an approved CPR/AED training program and have a current CPR/AED certification are considered authorized responders.

C. Duties and Responsibilities of Trained Responders:

1. Respond to sudden cardiac arrest events and use an AED in accordance with training received during the CPR/AED training program.
2. Call 911 as soon as possible after using the AED.
3. Submit a police case report and include the following information:
 - a. Date and time of the incident and name of patient.
 - b. Name of person who determined patient's unresponsiveness.
 - c. Time that 9-1-1 was called.
 - d. Number of times the patient was defibrillated.
4. Authorized responders are required to renew their CPR/AED certification every two years.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: December 18, 2020	Amends/Supersedes: August 14, 2019 October 6, 2017 January 15, 2015 January 9, 2013 June 1, 2012 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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514.01 Towing, Seizing, Impounding, Searching & Releasing Vehicles

I. Policy

A police officer may authorize the towing of a vehicle for the reasons outlined in this procedure. A public service aide (PSA) may authorize the towing of a vehicle for outstanding parking violations and operational/emergency purposes with supervisory approval. If the necessity or reasonableness of towing a vehicle is in question, a supervisor should be consulted. The immediate disposition of a towed vehicle depends on the reason for the vehicle being towed.

II. Definitions

Impounded vehicle - One which a law enforcement agency temporarily takes possession of until the owner complies with requirements for its release, or until the vehicle is disposed of by other lawful means. An impounded vehicle will be held at the Police Impound Lot or at the contractor's storage lot, depending on the reason for the tow. (See IV.A. below).

III. Code Requirements

- A. [§ 4.1-339](#). Search and seizure of conveyances or vehicles used in violation of law; arrests.
- B. [§ 19.2-386.16](#). Forfeiture of motor vehicles used in commission of certain crimes.
- C. [§ 19.2-386.22](#). Seizure of property used in connection with or derived from illegal drug transactions.
- D. [§ 46.2-867](#). Racing, seizure of motor vehicle.
- E. [§ 46.2-1000](#). Department to suspend registration of vehicles lacking certain equipment; officer to take possession of registration card, license plates and decals when observing defect in motor vehicle; when to be returned.
- F. [§ 46.2-1246](#) through [46.2-1250](#). Handicapped Parking Statutes

The Code of Virginia contains a more comprehensive listing of code requirements that apply to this procedure.

IV. Procedure

- A. Impound Vehicles – An [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) must be completed for every impounded or seized vehicle towed by this department and the NCIC/VCIN check shall be noted on the form, except for 1) Arlington County Police Department vehicles, 2) vehicles towed for emergency or operational purposes, and 3) vehicles towed at the owner's request, including vehicles involved in traffic accidents which are not being impounded as evidence or as a result of the operator being arrested.
1. Officers will complete a [Quick Property entry](#) for any vehicle, moped, or bicycle held at the Police Impound Lot. All completed impound forms related to vehicles stored at the impound lot will be left inside the Impound Lot office in the form bin marked "New Impound Forms." If applicable, ignition keys will be placed in an envelope, available at the Impound Lot office, and a Quick Property bar code label will be attached to the envelope, the vehicle windshield, and the back of the impound form. The envelope will then be placed in the secure drop box at the Impound Lot.
 2. The Impound Lot attendant will enter all vehicles held at the Impound Lot into the LERMS Impounded Vehicle Module.
 3. Administrative Support Unit personnel will enter all impounded vehicles that are taken to a contractor storage lot into the LERMS Impounded Vehicle Module.
- B. Reason for Tow and Storage Destination - A towed vehicle can be classified in one of the following categories:

REASON FOR TOW	STORAGE DESTINATION
1. Seized	Police Impound Lot
2. Evidence	Police Impound Lot
3. Mopeds	Police Impound Lot/Contractor Lot
4. Bicycles	Police Impound Lot
5. Non-Evidence Hold	Police Impound Lot
6. Operator Arrest	Contractor Storage Lot
7. 30 Day Immobilized Vehicle	Contractor Storage Lot
8. Safekeeping	Contractor Storage Lot
9. Abandoned	Contractor Storage Lot
10. Traffic Hazard	Contractor Storage Lot
11. Operational Requirement	Relocate Vehicle
12. Defective Equipment	Contractor Storage Lot
13. Parking Violations	Contractor Storage Lot
14. Improper Registration	Contractor Storage Lot
15. Accidents (non-fatal)	Contractor Storage Lot
16. Obstruction Private Property	Contractor Storage Lot
17. Owner/Operator Request	Contractor Storage Lot
18. Handicapped Parking Violations	Contractor Storage Lot
19. Recovered Stolen Auto	Contractor Storage Lot

1. Seized Vehicle - A vehicle which a law enforcement agency intends to permanently take possession of and which can be forfeited to the Commonwealth or to the United States Government. A case report or case supplement, if a case report has already been written, shall be completed for all seized vehicles, detailing the reason for the seizure and a complete description of the vehicle. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "SEIZURE" box.
2. Evidence – A case report or case supplement, if a case report has already been written, shall be completed for all vehicles impounded as evidence. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "EVIDENCE" box.

Vehicles impounded as evidence should not be retained beyond their evidentiary need. Once an officer or the assigned investigator determines that an impounded vehicle will be of no value in the prosecution of the underlying criminal case, it should be immediately released. Moreover, the impounding officer should strive to determine the evidentiary value of the vehicle at the earliest practicable moment. In order to facilitate the expeditious release of vehicles determined to have no evidentiary value, the assigned investigator will authorize the Evidence & Inventory Management Unit, Impound Lot Operations to release the vehicle to the owner.

3. Mopeds – Mopeds considered to be abandoned/found property will be stored at the contractor's storage lot. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "ABANDONED" box.

Mopeds involved in an accident, recovered as stolen, or needed for evidentiary purposes may be kept at the Police Impound Lot. Mopeds impounded for any reason require the completion of an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#)

- a. A moped impounded for evidence is to be placed in the garage bay reserved for bicycles and mopeds.
 - b. Mopeds held at the impound lot as evidence or for any other purpose will be released by the Impound Lot service assistant with proof of ownership and the owner will sign the property signature pad as the claimant.
4. Bicycles – Bicycles involved in an accident, recovered as stolen, or needed for evidentiary purposes may be kept at the Police Impound Lot. Additionally, bicycles considered to be abandoned or found property will be stored at the Police Impound Lot.
 - a. A bicycle which has been in the possession of the police department and unclaimed for more than thirty (30) days may be sold at public sale or donated to a charitable organization.

- b. A bicycle impounded for evidence is to be placed in the garage bay reserved for bicycles and mopeds.
 - c. A bicycle impounded for reasons other than evidence is to be placed in the bicycle rack.
 - d. Any officer placing a bicycle in the impound lot shall enter all bicycle information into LERMS.
 - e. A Support Management Section supervisor, the auxiliary lieutenant, or an investigator from the Criminal Investigations Division may authorize the release of a bicycle if the owner satisfactorily identifies or shows proof of ownership.
 - f. The auxiliary lieutenant will release bicycles from the Police Impound Lot, update LERMS, and have the owner sign the property signature pad as the claimant.
5. Non-Evidence Hold - Officers may impound a vehicle for non-evidence hold when there are extenuating circumstances and a routine safekeeping impound would not be appropriate. This applies to circumstances where the owner is unable to operate the vehicle, but no crime has taken place (e.g. non-accident related medical emergency where the operator is transported to the hospital, death investigation with CIS approval, etc.). This option should be determined on a case-by-case basis. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "NON-EVIDENCE HLD" box.
6. Operator Arrest - When the operator of a motor vehicle is arrested and their vehicle is not parked legally and no licensed driver is present at the scene to whom the vehicle may be released, the vehicle may be towed to the contractor storage lot. In addition to the completion of an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) with the "ARREST" box checked the tow shall also be noted in a case or supplement report related to the arrest.
7. Thirty Day Immobilized Vehicle - Includes the administrative impoundment of a motor vehicle for certain offenses involving driving while license is suspended or revoked, judicial impoundment, driving while license, permit or privilege to drive a motor vehicle has been suspended or revoked for driving while intoxicated, or the operator was driving after adjudication as a habitual offender for an alcohol related offense. Vehicles administratively impounded must be towed to the contractor's storage lot. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "THIRTY DAY IMM" box. The original copies are distributed as follows:
- a. White, green and canary copies go to the Impound Lot.
 - b. Pink copy goes to the towing company.
 - c. Goldenrod copy goes to the vehicle operator.

The arresting officer must indicate on the impound form that the car will be held for (30) days based on the suspension of the driver. The vehicle owner is responsible for paying any tow fees and storage fees, starting from the first day of storage through the date the vehicle is released.

Judicial Review of Impoundment - The owner or co-owner of any motor vehicle impounded or immobilized, who was not the driver at the time of the violation, may petition the General District Court in the jurisdiction where the violation occurred for the release of the motor vehicle.

Vehicles administratively impounded, when an individual's license has been suspended for seven (7) days under the provisions of §46.2-391.2 - Administrative suspension of license or privilege to operate a motor vehicle, must also be towed to the contractor's storage lot.

8. Safekeeping - Vehicles having no evidentiary value may be towed for safekeeping under the below provisions:
 - a. The vehicle has been involved in an accident and the driver is unable to select another tow location.
 - b. The vehicle is unsecure as a result of a crime and the officer is unable to contact the owner.
 - c. The driver is not legally permitted to operate the vehicle and the vehicle is not legally parked.

Complete an Arlington County Police Impounding/30-Day Immobilization/Boot Form and check the "SAFEKEEPING" box.

9. Abandoned - A vehicle shall be presumed abandoned if it weighs at least 75 pounds, lacks a current license plate, or a valid state inspection sticker, and it has been at a specific location for four (4) days without being moved. Further, a vehicle may be towed from public property if it has been left unattended for more than ten (10) days. Complaints regarding vehicles abandoned on private property are investigated by Arlington Code Enforcement.

Officers towing abandoned or unattended vehicles from public property shall issue the vehicle a parking ticket and complete an Arlington County Police Impounding/30-Day Immobilization/Boot Form and direct the vehicle to be stored at the towing company storage lot.

10. Traffic Hazard – Officers towing vehicles, not involved in a motor vehicle accident but constituting a traffic hazard such as blocking a public roadway or otherwise endangering public safety, shall issue the vehicle a parking ticket, complete an Arlington County Police Impounding/30-Day Immobilization/Boot Form, and direct the vehicle to be stored at the towing company storage lot.
11. Operational Requirement – An officer or PSA towing a vehicle for operational or emergency purposes will relocate the vehicle to an accessible location and notify the Emergency Communications Center (ECC). The owner of a relocated vehicle incurs no financial responsibility.

All cost associated with towing a vehicle related to unforeseen operational purposes should be billed to the County agency requesting the tow for unforeseen operational purposes. The officer or PSA shall note on the invoice which County department is responsible for paying the tow.

12. Defective Equipment - When a vehicle is impounded for defective equipment, the officer must take possession of the license plates, registration card, and decals prior to towing it, in accordance with [§46.2-1000](#). The officer shall submit these items to the Evidence & Inventory Management Unit. If the owner has not corrected the deficiencies after (15) days and notified the department, the license plates, registration card, and decals will be forwarded to the Division of Motor Vehicles (DMV).

If the registered owner of the vehicle is at the scene and has a specific request for the towing or destination of the vehicle, an attempt to honor that request should be made. Factors to consider are traffic conditions, a reasonable response time from the tow firm, and pending calls for service. If the owner does not have a specific request or the request cannot be honored, the vehicle should be towed to the contractor's storage lot. If the registered owner is not present at the scene, the vehicle will be impounded and stored at the contractor's storage lot. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "DEFECTIVE EQUIP" box.

13. Parking Violations - A vehicle which will be towed instead of booted because of three or more confirmed outstanding parking violations, will be stored at the contractor's storage lot. These guidelines include vehicles towed for violating Snow Emergency Routes, posted "Emergency, No Parking" signs, or for obstructing traffic during a weather emergency. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "PARK VIOLATION" box.

14. Improper Registration - Vehicles impounded for improper registration, improper certificate of title, or improper license plates that are either fictitious, cancelled, revoked, suspended, altered, or issued for another vehicle, will be stored at the contractor's storage lot. If the registered owner of the vehicle is at the scene and has a specific request for the towing or destination of the vehicle, an attempt to honor that request should be made. Factors to consider are traffic conditions, a reasonable response time from the tow firm, and pending calls for service. If the request cannot be honored, the vehicle should be towed to the contractor's storage lot. If the registered owner is not present at the scene, the vehicle will be impounded and stored at the contractor's storage lot. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "IMPROPER REGIS" box. Generally, vehicle owners have (30) days to register a new vehicle. The new owner must write his name and address in ink on the certificate of title.

15. Accidents (non-fatal) - A vehicle involved in a non-fatal accident is not impounded under normal situations. If a vehicle is being towed to clear the roadway as a result of a motor vehicle accident, consideration should be given to the motor vehicle operator's desire for a particular tow firm. This should be weighed against factors such as safety, traffic impedance, and response time by the requested firm. If the owner has no preference, the vehicle will be stored at the contractor's storage lot. The investigating officer will advise the ECC and the owner or operator of the storage location of the vehicle.
 - a. Vehicles involved in hit and run accidents should be processed for evidence and then released to the owner.
16. Obstruction of Private Property - When a vehicle is towed from public property for obstructing or interfering with the ingress or egress of private property, a parking ticket must be issued. Prior to towing the vehicle, the officer should attempt to locate the owner or operator and request immediate removal of the vehicle. The vehicle will be towed to the contractor's storage lot. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "OTHER" box and write in "Obstruction".
17. Owner/Operator Request – As a courtesy to the general public an officer may contact the ECC to request a tow truck for the owner or operator of a vehicle or a private property owner/manager. This is considered a non-police tow and the vehicle will be towed at the discretion and direction of the vehicle owner/operator or the owner/manager of the private property. Complaints regarding vehicles abandoned on private property are investigated by [Arlington Code Enforcement](#).
18. Handicapped Parking Violations – Vehicles towed for violations of handicapped parking codes will be held at the contractor's storage lot. Prior to towing a vehicle, a parking ticket or Virginia Uniform Summons shall be issued to the vehicle and/or the offending operator of the motor vehicle. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "PARK VIOLATION" box.
19. Recovered Stolen Vehicle - A vehicle is considered a stolen vehicle when the registered owner files a police report due to unauthorized use of the vehicle. Complete an [Arlington County Police Impounding/30-Day Immobilization/Boot Form](#) and check the "RECOVERED STOLEN" box.
 - a. Once a recovered stolen vehicle has been processed as evidence, the vehicle may be released to the owner at the location where recovered, as long as an impound form has been completed and the owner has signed, indicating that they are taking possession of the vehicle. If the owner cannot take possession of the vehicle, it will be towed to the contractor's storage lot. The officer recovering a stolen vehicle or investigator assigned to the case should make every effort to notify the registered owner.

- b. A case report or case supplement, if a case report has already been written, shall be completed for all recovered stolen vehicles.
- C. Vehicle Processing - When fingerprint processing, searching for evidence, and other processing is not completed at the scene of impoundment, the vehicle should be towed directly to the Impound Lot or other designated location for further processing. An officer should accompany the vehicle to the designated location in order to preserve the chain of custody regarding any evidence that is found.

The vehicle should be removed from the designated processing location as soon as possible after the processing has been completed. Whenever the vehicle is no longer needed as evidence, the investigating officer shall promptly amend the impound form to indicate that the vehicle can be released. In cases where a CID investigator has been assigned, the investigator will be responsible for releasing the vehicle.

Whenever a vehicle is lawfully pursued into another jurisdiction and the operator is arrested, the vehicle may be returned to Arlington County without further legal process and impounded for safekeeping or as evidence.

- D. Vehicle Inventory - A warrantless search of a seized vehicle or a vehicle which has been impounded as evidence may be conducted at any time. An evidence search of a vehicle under any other conditions may require a search warrant. The Office of the Commonwealth's Attorney should be consulted when in doubt as to the necessity of a search warrant. An inventory shall be conducted when a vehicle is:
 - 1. Seized.
 - 2. Impounded and is to be stored at the Police Impound Lot.
 - 3. Impounded and is unlocked.
 - 4. Impounded and is opened by the tow firm operator.
 - 5. Impounded and is locked but has property of obvious value visible inside.
 - 6. Removed from the scene of an accident in which the owner is taken to the hospital.

The purpose of an inventory is to identify and take possession of valuable property from a towed vehicle. Inventory procedures serve to protect an owner's property while it is in the custody of the police, to protect the police department against claims of lost, stolen, or vandalized property, and to protect the officer and the department against danger. A locked vehicle may be entered with minimal force to conduct an inventory or lawful search. The contract tow firm should be equipped with tools to enter locked vehicles.

An inventory should be conducted prior to towing the vehicle from the place of impound. Any evidence, contraband, fruits or instrumentalities of a crime found during an inventory may be admissible in a subsequent prosecution. The scope of an inventory will be limited to those unsecured readily accessible areas within the vehicle. A locked trunk, glove compartment or storage area will be within the scope of an inventory only if the keys to those areas are in the possession of the police officer or PSA.

The scope of an inventory may include a closed container when the contents of the container cannot be ascertained from examining the container's exterior. Closed containers which are locked or otherwise sealed may be opened with the minimal amount of force necessary when the facts and circumstances at the time would lead an officer to believe that opening the locked or sealed container was reasonable within the purpose of an inventory.

If property of value, evidence, or contraband is found during the inventory, it must be submitted to the Evidence & Inventory Management Unit along with the required Property entry and must also be documented in a case or supplement report. An indication should be made on the impound form that property has been removed from the towed vehicle and that it is being held as evidence or for safekeeping.

A search for evidence may not be conducted under the guise of an inventory. No inventory is to be conducted if the operator of the vehicle has been arrested and the vehicle is to be released to a person designated by the operator to remove the vehicle from the scene of the arrest.

- E. Property Record - When any property is removed from any seized, impounded, or towed vehicle, a property entry must be made in Quick Property.

When a vehicle is to be held at the contractor's lot, the ignition key is given to the tow firm operator. Under no circumstances are keys of impounded vehicles to be left at the Administrative Support Unit. When there are additional keys unrelated to the vehicle, the officer or PSA impounding the vehicle will return the keys to the operator or owner or submit them to the Evidence & Inventory Management Unit for safekeeping or as evidence.

The officer or PSA impounding the vehicle must indicate on the impound form the disposition of the ignition key. If keys are given to the tow firm, the name of the tow firm and the driver's signature should be indicated in the appropriate spaces. Relinquishing the keys to either the tow firm driver or the Impound Lot attendant does not alleviate the responsibility of the impounding officer or PSA to complete the necessary impound form.

- F. Releasing a Vehicle - The following criteria, as applicable, must be met before a vehicle is released:
 - 1. Proof of ownership.
 - 2. Payment of fines.
 - 3. Payment of towing.
 - 4. Payment of storage.
 - 5. Payment of boot fee.
 - 6. Special conditions noted on the impound form.

Under no circumstances is a vehicle to be released until the vehicle has been checked through NCIC/VCIN to check if it has been reported stolen.

A vehicle seized or held as evidence will be released when it no longer serves any evidentiary purpose or value. The officer who impounded the vehicle may authorize its release unless the case is assigned to a CID investigator, in which case the decision to release will be made by the investigator. If the investigator or officer is not physically available, they should be contacted by telephone. The employee releasing the vehicle should indicate the name and administrative number of the officer or investigator authorizing the release as well as the date and time on the impound form.

If an impound form cannot be located, the employee responsible for releasing the vehicle may prepare a duplicate impound form to release a seized or impounded vehicle. The impounding officer or PSA should be contacted first and a reasonable explanation should be obtained as to why the original impound form could not be located. If the impounding officer or PSA is unavailable, permission must be obtained from the employee's section supervisor or designee, or a Support Management Section supervisor prior to making a duplicate impound form.

The Administrative Support Unit is authorized to waive towing and storage costs of impounded vehicles when a review of the circumstances reveals this would be a reasonable course of action. (See G. Special Conditions for exceptions)


- G. Special Conditions - A vehicle lien holder, car dealer, or other legal representative who is authorized to retrieve impounded vehicles from the department, will abide by the same vehicle release process afforded to the registered owner of the vehicle. Full payment for storage charges, outstanding parking tickets, and boot fees must be made prior to release of any vehicle.

Identification in the form of a DMV issued dealer or salesperson license will be required and must contain the name and photograph of the bearer as well as the name of the business. A vehicle title and bill of sale is also necessary to prove an interest in the vehicle. In the absence of a DMV issued dealer or salesperson license, an authentic copy of business articles of incorporation bearing the name of the person will be considered as acceptable identification.

When a registered owner has secured the prior release of the vehicle, the name of the person and the date that the vehicle was released will be provided to the lien holder, car dealer, or other legal representative.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 12, 2019	Amends/Supersedes: October 6, 2017 November 1, 2012 October 23, 2006 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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514.07 Property

I. Policy

An important objective of this department is to ensure that all property is returned to its rightful owner in a timely manner. Property which comes into the possession of a department employee as evidence, found property, to be destroyed, held for safekeeping or seized-pending forfeiture, shall be processed in such a manner as to maintain the chain of custody, avoid contamination, avoid loss or damage to property and prevent a hazard to personnel handling and processing the property.

II. Definition

Property - items related to a criminal or police incident, items owned or purchased by the county or police department and issued or made available to employees for use in their official duties, items purchased by a department employee including personally owned property, and department or County money used within the scope of employment.

III. Procedure

A. Submission of Property

1. Whenever property, other than illegal drugs, is taken from anyone for any reason, a Property Retrieval Process form shall be filled out by the collecting officer and signed by the owner of the property. If the owner refuses or is unable to sign the form, the reason shall be written in the signature line. If the owner is not present when the property is collected, a Property Retrieval Process form does not need to be filled out unless it is during the execution of a Search Warrant. When a property owner is not present during the execution of a Search Warrant, the form shall be filled out and left for the owner.
2. All property which is evidence, contraband, to be destroyed, held for safekeeping, or seized-pending forfeiture, and which will not be immediately returned to the owner, must be stored in a Property Management Unit evidence storage room or the Impound Lot as soon as practical, but no later than the end of the employee's workday. Under exigent circumstances, property shall be relinquished directly to the Property Management Unit.

3. Property shall be described as thoroughly and accurately as possible and marked, tagged or packaged, appropriately to preserve and maintain the chain of custody and make it readily available for court proceedings.
4. It shall be the responsibility of the officer or investigator to notify the Crime Scene Unit (CSU) when turning in evidence that needs to be processed by the CSU.
5. Property shall be placed in an evidence locker, located in Room G410 - Temporary Evidence Lockers, or other designated storage locations. After property is placed in an evidence locker, the key shall be deposited in lock box #119. Box #119 will also accept small items of evidence.
6. Generally, all property of evidentiary value or seized pending civil forfeiture that is placed into the Property Management Unit or Impound Lot requires the completion of a Case Report. Items stored as a result of a traffic infraction, such as license plates, do not require a Case Report. Found property and property to be destroyed with no evidentiary value shall be documented in an Incident Report, which must include the name of the person turning the property in (if available) and a short narrative describing how the property came into the employee's possession.
7. When submitting property to the Property Management Unit, an employee shall use the Property Quick Entry function of LERMS. In the Property Codes section of Property Quick Entry, an officer shall select all values that apply and MUST select one — and only one — of the following values:
 - a. Evidence - any item that will be of use in a court proceeding to prove or disprove a fact under consideration. Includes seized-pending forfeiture.
 - b. Safekeeping - any personal property of an individual that an officer takes and stores for the safety of that item and is not of an evidentiary nature, nor is contraband. Contraband is deemed either evidence or to be destroyed.
 - c. Found - any item which has been lost, mislaid or abandoned and is of no evidentiary value.
 - d. To Be Destroyed - any property which may not be released to the rightful owner or used for other lawful purposes.
8. It shall be the responsibility of the appropriate Property Management Unit personnel to check all property submissions entered into Quick Property by way of LERMS, to ensure proper procedures have been followed.

B. Handling & Storage of Property

1. Ammunition - all shotgun, rifle, and handgun ammunition shall be stored in the Property Management Unit. Other explosives or explosive devices shall not be placed into the Property Management Unit and shall be handled according to [Manual procedure 537.01, Bomb Threats & Explosive Devices](#).

2. Bicycles - shall be handled according to existing procedure, stated in [manual section 514.01](#), and stored at the Impound Lot.
3. DNA - placed in the Property Management Unit is initially the responsibility of the investigator assigned to the case.
 - a. In cases where no arrest has been made, evidence will be stored in correlation to the severity of the offense.
 - 1) In homicide cases, the evidence will be stored indefinitely.
 - 2) In cases of rape, heinous malicious wounding, attempt murder, or other violent crimes, the evidence will be held for a minimum of twenty-five (25) years.
 - 3) For commercial burglaries, evidence will be stored for a minimum of five (5) years.
 - 4) In the case of residential burglaries, evidence will be stored at least seven (7) years.
 - 5) Absent extenuating circumstances, the timeline for the storage of evidence, in all other cases, shall not exceed two (2) years.
 - b. In those instances, where an arrest has been made, evidence must be preserved in the event of an appeal as outlined in [Virginia Code §19.2-270.4:1. Storage, preservation and retention of human biological evidence in felony cases](#).
 - 1) In homicide and rape cases, evidence will be stored until the sentence has been completed.
 - 2) For heinous malicious wounding, attempt murder or other violent crimes, without extenuating circumstances, evidence will be stored for at least ten (10) years.
 - 3) In burglary, and all other cases, evidence will be stored for at least three (3) years after conviction, or until the state court appeal deadline has expired, depending upon which is greater.
 - c. However, once appropriate counsel determines that evidence is subject to the mandates of [Virginia Code §19.2-270.4:1](#), the material shall be stored as indicated by law, or subject to the discretion of the Commonwealth's Attorney.
4. Drugs and drug paraphernalia - shall be packaged separately from other property and secured in a clear heat-sealed envelope, pursuant to [Manual Procedure 514.08, Evidence Envelopes](#). Drugs shall be described by type and as accurately and thoroughly as possible by number, volume, or size in LERMS. A *Request for Laboratory Examination* form will be filled out for all illegal drugs, except for those to be destroyed, at the time of submission.
5. Firearms - shall be unloaded, rendered safe, and packaged separately from other property.

- a. Firearms that have been made safe should be packaged in a gun box and submitted in the same manner as any other item.
- b. Firearms that are unsafe or loaded and need attention from a Range Officer will be placed in one of the six gun lockers located inside the Temporary Evidence Room.
- c. If a firearm is taken from or turned in by a person, the submitting officer shall document in his or her report the name, contact information, and identifying information of that person.
- d. All firearms submitted for any reason shall be photographed by an agent. The photographs shall document both sides of the firearm and any other area of the firearm that has potential identifying information (make, model, serial number, caliber, country of manufacture, importer, etc.).
 - 1) If evidentiary photos are being taken for the same incident, the firearm identification photos may be included with the evidentiary photos.
 - 2) If evidentiary photos are not being taken, firearm identification photos should be submitted to the ID Unit on a disc with the report number and agent's name on it.
 - 3) Firearm identification photos submitted without evidentiary photos do not need a photo memo.
- e. After submitting a firearm an officer should notify the Crime Scene Unit as soon as possible, preferably within seven (7) days, if any forensic processing is needed. A member of CSU will ensure that any needed forensic processing is performed, either in-house or at the appropriate testing facility, to include National Integrated Ballistic Information Network (NIBIN) testing, as soon as possible.
- f. All firearms submitted to Property, for any reason, will be submitted electronically to the ATF eTrace system by a designated ACPD employee to satisfy the requirements of [Virginia Code § 52-25.1](#). A Criminal Firearms Clearinghouse form and teletype message to Virginia State Police are no longer needed.
 - 1) To ensure a complete eTrace submission, the submitting officer shall include all of the following firearm information, if available, in the Global Gun Jacket during the Property Quick Entry process: make, model, serial number, caliber, firearm type, color, country of origin, and importer (if applicable).
- g. Recovered stolen firearms shall be submitted as evidence and are not to be returned to the owner until all forensic testing is complete.
- h. Firearms are not to be submitted for safekeeping unless all the following criteria are met:
 - 1) The firearm owner has been identified.

- 2) The firearm owner has been notified that ACPD is in possession of the firearm.
 - 3) The submitting officer is confident the firearm was not involved in any criminal activity.
- i. If the owner of a firearm taken for safekeeping has not been identified or has not been notified that ACPD is in possession of the firearm, that firearm shall be submitted as found property.
 - j. If a firearm taken for safekeeping is suspected to have been involved in criminal activity, that firearm shall be submitted as evidence.
6. Fireworks - shall be turned over to a County Fire Marshal when available. Small quantities of fireworks may be stored until the following business day, in the Property Management Unit or Room G410 until turned over to the Fire Marshal.
7. Gasoline - gasoline powered equipment, and other flammable material shall be stored in the evidence containers at the Impound Lot.
8. Large items - may be stored in the evidence containers at the Impound Lot, or other secured storage lockers or warehouses with the approval of a supervisor as long as the chain of custody is maintained. If property is stored in an area other than the property lockers or drying room, the Property Management Unit shall be notified as soon as possible.
9. Money - no matter how small the denomination, shall be packaged separately from other property, and secured in a clear heat-sealed envelope, pursuant to [Manual procedure 514.08, Evidence Envelopes](#). Employees turning in money shall have another officer assist with counting it and then have them sign as a witness on the envelope and in Quick Property. Currency shall not be left inside any items, in other pieces of property, or left in vehicles impounded as evidence.
10. Vault - The Property Management Unit shall ensure that items of property requiring added protection, to include money, firearms, and drugs are stored in the vault inside the Property Unit.
11. Vehicle Evidence - will be entered into Quick Property and handled in accordance with the procedures set forth in manual directive [514.01, Towing, Seizing, Impounding, Searching and Releasing Vehicles](#). Once it is determined that no additional processing is necessary, the vehicle should be signed off for release and the Special Services Unit notified of the change in status.
12. Wet, oversized items - or items that need refrigeration must be secured in Room #33 (aka: G410A) - Evidence Drying, located within Room G410. Articles left in the Evidence Drying room to air dry should be hung so as to not contaminate any other evidence and placed in a secured cage locker. The primary agent shall be responsible for packaging the evidence as soon as it is dry and placing it into the Property Management Unit.

Recovery of property or evidence exposed to any infectious diseases shall be packaged according to [Manual Procedure 533.04, Infectious Diseases](#).

C. Submission of Evidence for Laboratory Analysis

1. General Provisions - In most cases, evidence that is to be examined or analyzed by a laboratory should be taken to the [Virginia Division of Forensic Science](#) (DFS) Northern Laboratory. If a different lab is preferred (e.g., FBI), supervisory approval shall be obtained prior to submission of the evidence.
2. With the exception of the Organized Crime Section (OCS), all Department personnel shall package and submit evidence for laboratory analysis to the Property Management Unit with a Request for Laboratory Examination form. The CSU shall deliver and retrieve all evidence submitted in this manner to the appropriate laboratory for analysis. OCS personnel are responsible for transporting their own evidence to and from a laboratory.
3. Employees delivering evidence to any laboratory shall adhere to chain of custody procedures, and shall ensure that the name of the employee relinquishing custody of the evidence, the date and time of receipt by the lab, and the name and signature of the person who receives the evidence is marked on the Request for Laboratory Examination form.

D. Inactive and Closed Cases

1. Evidence placed into the Property Management Unit shall remain the responsibility of the lead investigator assigned to the case. If the case is inactive, the investigator is responsible for maintaining a liaison with the Property Management Unit to ensure the timely disposition of the evidence. Property associated with any case should be evaluated for evidentiary value and either released to the owner, released to be destroyed, or held for evidence.
2. Upon assignment of an inactive case, the investigator will access the LERMS system for property to evaluate the evidence. If uncertain as to the need to retain or release the evidence the investigator will personally respond to the Property Management Unit to examine the evidence. If it is determined that the property can be released, a Release of Property form will be filled out, signed by a prosecutor in Commonwealth Attorney's Office, and the white copy of the form will be returned to the Property Management Unit.
3. Upon submitting a Case Supplement Report, the investigator will note the status of the property being held in the supplement narrative.

E. Release of Property

1. Property no longer needed as evidence or held for safekeeping shall be returned to the owner. In cases where a photograph of property is admissible as evidence, the property should be photographed in

accordance with [Virginia Code § 19.2-270.1](#) and returned to the owner. Property held for safekeeping will only be kept for sixty days before it is disposed of, if an owner is unknown. If the owner is at the scene or readily available to respond to the employee's location, the property does not have to be stored in the Property Management Unit. The employee shall complete the Property Record Form or Impound Form in the case of a vehicle, listing the property information and the owner shall sign the back of the form as acknowledgment of receipt of the property. If an owner cannot be located, the property shall be turned over to the Property Management Unit or Impound Lot. (For release of impounded vehicles, see [Manual directive 514.01, Towing, Seizing, Impounding, Searching and Releasing Vehicles.](#))

2. Evidence held in the Property Room or Impound Lot may be released to authorized personnel for court cases, laboratory analysis, or for further investigation.
3. No property will be released, given or sold, as final disposition, to a member of this department, unless that person is the legal owner. Personnel have a responsibility for ensuring that property recovered is returned to the rightful owner.

F. Disposition of Cases

1. When officers are notified that property being held by the Property Management Unit needs to be reviewed they shall examine the items of property and/or evidence to determine whether the items are still needed or may be disposed of. The Office of the Commonwealth's Attorney requires a case disposition, prior to approving disposal.

G. Department Issued Equipment

1. All equipment issued to an employee is for official use only, regardless of how it was issued (See [Manual directive 400.00 Rules and Regulations](#)). Employees may be held personally responsible for the loss or damage of any issued equipment. When department issued equipment with serial numbers, such as handcuffs, weapons, badges and shields are lost or stolen, a case report is required and the item shall be entered into VCIN. A copy of the case report shall be forwarded to the Property Management Unit before the items will be replaced.
2. Department issued property, which has been found, should be returned to the employee, if known. If unknown, the equipment shall be given to a supervisor who shall attempt to return the equipment to the employee or issuing section or unit. If the supervisor is unable to return the equipment, it shall be turned into the Property Management Unit.
3. Upon separation from the department all issued property shall be accounted for and returned to the Property Management Unit by the departing employee. This will be documented on the Arlington County

Police Department Employment Clearance Sheet provided by the Human Resources Management Section and other forms provided by the county.

H. Personally Purchased Equipment

1. An employee, on behalf of the department, may purchase needed equipment with approval from a supervisor with the rank of Captain or above and in compliance with the County's and department's purchasing regulations. If the needed equipment is not available through the Property Management Unit, the employee shall consult the Property Management Unit or the Fiscal Management Unit on procedures for obtaining the equipment.
2. The Fiscal Management Unit should be contacted prior to any emergency purchases to ensure that there are funds available. After the emergency purchases have been made, all receipts and invoices shall be forwarded to the Systems Management Division Commander, no later than close of business on the following work day. Any purchase made without prior approval or not within prescribed guidelines is subject to being disallowed and the employee could be required to pay for the purchase, and/or be subject to disciplinary action.

I. Personally Owned Equipment


1. Personally owned equipment used by on duty employees shall meet department guidelines. Employees shall be solely responsible for personally owned equipment used while on duty.

J. Prohibited Actions

1. Employees are prohibited from directly or indirectly accepting, purchasing, trading, or confiscating for personal use, any item of value which comes to their attention as a result of departmental employment. Employees are also prohibited from purchasing or obtaining any item of value that is made available by this department or the county even though the item may be available to the general public. This includes any and all evidence or property held by the department, such as county owned vehicles, property sold at auctions, property held for safekeeping, weapons, or any other items.
2. Employees are prohibited from selling or trading any item of value, or performing any service, to any complainant, suspect, witness, defendant, prisoner or other person involved in any type of police activity, which has come to the employee's attention or which arose out of the employee's departmental employment, except as may be specifically authorized by the Chief of Police.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 14, 2018	Amends/Supersedes: May 4, 2017 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.16.01, OPR.02.03			

514.08 Evidence Envelopes

I. Policy

Heat-seal envelopes are to be used for packaging drug and currency evidence to allow for pre-trial inspection and courtroom testimony without having to open the envelope.

II. Procedures

A. Currency

1. Currency shall be counted by the employee turning in the currency and witnessed by a second employee to confirm the amount.
2. Currency shall be packaged in heat-sealed envelopes, separately from all other property, and shall not be left in vehicles that have been impounded as evidence. Unless the currency is in some particular order that must be maintained for evidentiary purposes, all currency should be rubber banded in an order from large to small denominations. Banknotes and coins may be placed together in the same bag.
3. No matter how small the denomination a Property Quick Entry shall be completed for all U.S. and foreign currency. For U.S. currency, record the full dollar and cents amount (e.g., \$70.38) in Quantity, select U.S. Dollars in Unit of Measure, and itemize the bills and coins in the Description field (e.g., 3-\$20, 1-\$10, 1-\$0.25, 1-\$0.10, 3-\$0.01). For foreign currency put 1 in Quantity, select Foreign Currency in Unit of Measure, and itemize the bills and coins as best you can in the Description field (e.g., 2-20 Mexican peso bills, 1-5 Euro bill, 4-Guatemalan 50 centavos coins).
4. A Property Quick Entry bar code label shall be placed on each individual envelope; if multiple envelopes are packaged in a single container you must place additional labels that correspond to each of the individual packages inside, on the outer container.
5. Arrangements for counting large amount of coins will be made with local banks, when practicable, and a notation to this effect will be entered in the Property Quick Entry remarks field.
6. Currency which has been contaminated by blood or other hazardous materials shall be allowed to dry, and then packaged with a hazardous label affixed. Currency which will require processing for latent prints shall not be packaged in a clear heat sealed envelope. These monies are to be secured in paper or manila envelopes.

7. The label on the front of the currency envelope will contain the following information: (See Exhibit "A")
 - a. Item Number (Same item number as on each heat sealed envelope.)
 - b. Case Report Number.
 - c. Currency Description (Listed in denominations).
 - d. Other Currency (Foreign currency only).
 - e. Grand Total – total of U.S. currency only.
 - f. Date.
 - g. Time (If multiple times are used, list "TO" - "FROM" times).
 - h. Officer.
 - i. DID.
 - j. Witness.
 - k. DID.
 - l. Suspect(s) or Owner (Circle) - Name each suspect.
 - m. Location (This should include an address or a vehicle).
8. Currency turned in without any notation indicating the amount(s) submitted, will not be accepted into the Property Management Unit. The currency will remain in the evidence locker and a supervisor will be contacted to ensure that the submitting officer prepares the form in compliance with this procedure.

**ARLINGTON COUNTY POLICE DEPARTMENT
CURRENCY EVIDENCE**

ITEM NO(S):										REPORT NO:																			
CURRENCY DESCRIPTION																													
	x	\$1	=	\$		x	1¢	=	\$																				
	x	\$5	=	\$		x	5¢	=	\$																				
	x	\$10	=	\$		x	10¢	=	\$																				
	x	\$20	=	\$		x	25¢	=	\$																				
	x	\$50	=	\$		x	50¢	=	\$																				
	x	\$100	=	\$		x	\$1 Coin	=	\$																				
OTHER CURRENCY: (Describe)															GRAND TOTAL:														
DATE:					TIME:					OFFICER:					DID:					WITNESS:					DID:				
SUSPECT(S) or OWNER (Circle):															LOCATION:														

B. Drugs

1. All drug evidence will be self-contained in a clear envelope that is proportional in size to the individual piece of evidence to be packaged and subsequently sealed with the heat sealer. In cases where drug evidence will not fit in a heat-seal envelope the evidence should be packaged in the next appropriate size container or box, sealed, and then

a drug evidence label applied to the container. To ensure the chain of custody it is important to remember to initial over the heat seal with permanent marker on both sides of the bag.


2. A Property Quick Entry bar code label shall be placed on each individual envelope; if multiple envelopes are packaged in a single container you must place additional labels that correspond to each of the individual packages inside, on the outer container.
3. In some circumstances, due to moisture, some evidence should not be heat-sealed in the plastic envelopes. This pertains mainly to fresh marijuana. In these cases, the marijuana should be placed in either a manila envelope, or if size dictates, a cardboard box. The envelope or box should then be sealed with tape and initialed on each seal and a Drug Evidence label should be filled out and applied to the top of the box.
4. The Drug Evidence label must be attached to the front of the heat seal envelope and be filled out completely (See Exhibit "B").
 - a. Item Number.
 - b. Case Report Number.
 - c. Evidence Description (This will be the actual evidence, i.e., Item #1- One piece of suspected crack cocaine, Item #2- One crack pipe, etc.).
 - d. Date.
 - e. Time (If multiple times are used, list "TO - "FROM" times).
 - f. Officer.
 - g. DID.
 - h. Suspect - Name each suspect.
 - i. Location (This should include an address or a vehicle, the specific location will be listed on the zip-locks themselves).
 - j. Chain of Custody (This area is for the laboratory).

Exhibit "B"

ARLINGTON COUNTY POLICE DEPARTMENT DRUG EVIDENCE					PROPERTY NO:
ITEM NO(S):			REPORT NO:		
<u>EVIDENCE DESCRIPTION</u>					
DATE:		TIME:	OFFICER:	DID:	
SUSPECT(S):			LOCATION:		
CHAIN OF CUSTODY					



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 1, 2020	Amends/Supersedes: September 6, 2019 October 6, 2017 May 14, 2015 October 1, 2012 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): N/A			

516.02 Court Procedures

I. Policy

The coordination of Justice Center services is of vital importance and assures that all persons, in any court action, are accommodated by the police department in a manner that advances the administration of justice.

II. Procedure

A. Responsibilities

1. Employee

- a. Attend court only when required, scheduled, or requested to appear and document that time in TeleStaff in accordance with all provisions enumerated in subsection II.B.2. of this procedure.
- b. Employees assigned to the Operations Division will be assigned Squad court dates each month. If an officer is in need of additional court dates, they shall have those dates approved by the Courts, Licensing, and Compliance Office. If an employee has a conflict with one of their assigned court dates, they must close that date and choose another date which has been approved by the Courts, Licensing, and Compliance Office.
- c. Employees assigned to the Criminal Investigation Division, Systems Management Division and the Office of the Chief do not need to select court dates; however, it is recommended that if those employees participate in off-duty traffic enforcement, they sign up for at least one court date per month, through the Courts, Licensing, and Compliance Office. Traffic court appearances will be scheduled by the employee for those dates only. Any variation in the number of assigned court dates per month must be approved in writing by the Courts, Licensing, and Compliance Office. This does not prohibit an employee from appearing in court if a citizen requests an immediate court hearing prior to a scheduled date.
- d. Should an officer receive a court continuance slip, subpoena or other court appearance notice when not involved in the case, employees shall contact the Office of the Commonwealth's Attorney to resolve the discrepancy.

- e. Attend court on continued dates for which they are assigned or have been notified.
 - f. Notify the Courts, Licensing, and Compliance Office of any pre-scheduled leave on non-scheduled court dates. The employee shall request that cases not be set for any dates while on leave and unavailable to appear in court. Court will not be routinely closed for training. Requests will be reviewed on a case-by-case basis.
 - g. Submit a completed [Request for Continuance Motion Form](#) to the Courts, Licensing, and Compliance Office at least thirty (30) days prior to any traffic court date, that the employee needs to continue. The Courts, Licensing, and Compliance Office will submit the form to a judge for approval. Upon approval, the Courts, Licensing, and Compliance Office will notify the officer who shall then complete a [Notice of Continuance Letter](#) for each defendant and witness, if applicable. The original letter and a copy shall be provided to the Courts, Licensing, and Compliance Office. The officer shall mail a copy to the defendant and witnesses, if applicable, no later than (14) days prior to the scheduled court date. Employees are encouraged to retain a copy for their records. Continuances for criminal cases will be handled through the Office of the Commonwealth's Attorney.
 - h. Any pre-trial meetings should be conducted during the employee's normal working hours. Supervisory approval is required prior to scheduled meetings occurring outside the employee's normal work hours.
 - i. Ensure that all necessary evidence and reports are gathered for prosecution and available the day of trial.
 - j. Notify the Courts, Licensing, and Compliance Office by 0800 hours on a scheduled court date of an absence due to illness, death in the family, or other emergencies. Employees shall contact the Courts, Licensing, and Compliance Office if they anticipate being late for court and provide the reason for being late, the approximate time of their arrival and which courts they are scheduled to appear.
 - k. Be present in the courtroom at the scheduled time for court to begin and remain in the courtroom, or in close proximity to the courtroom, until cases are heard, unless otherwise advised by the Court, Courts, Licensing, and Compliance Office, or Commonwealth's Attorney. If leaving the courtroom, notify the Courts, Licensing, and Compliance Office, their designee and/or the deputy in the courtroom.
 - l. An employee stops accruing court time as soon as they have concluded their court appearance and will not continue "on-the-clock" for non-court related duties.
2. Section Commander – Supervisory Responsibilities
- a. Investigate, or assign for investigation, any unauthorized or excessive absences.

B. Court

1. General

- a. Do not enter a judges' chamber to discuss a case except at the request of the court.
- b. All conduct in court should be professional in manner.
- c. The order of priority for court attendance is:

1	CIRCUIT COURT
2	JUVENILE TRAFFIC COURT
3	GENERAL DISTRICT TRAFFIC COURT
4	GENERAL DISTRICT CRIMINAL COURT
5	JUVENILE CRIMINAL COURT

2. Sign-In/Out

- a. All employees are required to sign the Court Sign-In Sheet, no later than 0845 hours on their scheduled date and report for traffic cases in Juvenile and Domestic Relations District Court by 0900 hours. If an officer is unavailable to sign in prior to this time, they shall notify the Courts, Licensing, and Compliance Office.
- b. At the conclusion of an employee's court appearance, the employee shall calculate the number of hours spent in court and record the information in TeleStaff.
- c. Time calculations will be as follows: three (3) hours or less, record three (3) hours in TeleStaff. If more than three (3) hours, record the total number of hours spent in court, in TeleStaff.
- d. Employees will use the following codes when entering court time into TeleStaff:
 - 1) PTL Court 2.5 Conversion – Used by patrol squads at the first off-duty court appearance to make up the 2.5-hour shortage that occurs during every 28-day cycle; these hours are converted to regular hours. The remainder of the court hours for that day should be coded as PTL Court Off-Duty OT.
 - 2) Patrol Court Off-Duty: Used by patrol squads when their court appearance falls outside of their regularly scheduled shift.
 - 3) Patrol Court On-Duty: Used by patrol squads when their court appearance falls within their regularly scheduled shift, or if they are attending court while scheduled for training during the time of their court appearance.
 - 4) Court Off-Duty: Used by all employees, other than those assigned to patrol squads, when their court appearance falls outside of their regularly scheduled shift.

- 5) Court On-Duty: Used by all employees, other than those assigned to patrol squads, when their court appearance falls within their regularly scheduled shift.

In addition, employees shall note whether their court appearance is on an assigned court date, or an unassigned court date by making the appropriate selection from the dropdown menu in TeleStaff.

- e. An employee who has court in another jurisdiction will enter their hours in TeleStaff, using the appropriate codes, by the next business day.
 - f. All TeleStaff court entries for less than (6) hours will be self-approving. All entries for (6) hours or more shall be reviewed and approved by a supervisor.
 - g. At the end of each month the Courts, Licensing, and Compliance Office shall request a custom court time report from the Public Safety Information Technology (PSIT) TeleStaff Administrator and conduct a monthly audit of each officer's court entries. Any discrepancies shall be noted in a memorandum and forwarded to the Chief of Police through the chain of command.
3. Failure to Appear - An employee who fails to appear for any court appearance after being notified by a subpoena, or who has cases on the docket and fails to report on the assigned court date, shall be subject to disciplinary action. Disciplinary action for subsequent offenses shall be progressive in nature and at the discretion of the Chief of Police.

C. Compensation

1. Court Time – Minimum compensation for an off-duty court appearance is three (3) hours, provided there are three hours between the beginning of the court appearance and the officer's next regularly scheduled reporting time for work. If less than three hours exist, the officer shall be paid only for those hours. For example, if a court appearance is scheduled for 0900 and the officer's tour of duty is scheduled to begin at 1030, the officer will be paid for one-and-one-half hours, rather than three.
2. Any time above three hours is calculated to the nearest quarter hour.
3. Court pay is **not** allowed under the following conditions:
 - a. An employee who is on duty at the time of the court appearance.
 - b. An employee who is on any type of paid leave at the time of the court appearance.
 - c. An employee who is attending any training session or school that meets during the time of the court appearance.
 - d. An employee who is on suspension without pay at the time of the court appearance.
 - e. An employee attending court for a personal matter or for actions not arising out of department employment.

- f. An employee who would otherwise have been on approved paid leave during the time of their court appearance will not be charged with leave for the period of time spent in court. Time spent in court is considered "hours present" on duty.
4. Civil Court - Compensation for appearance in civil court resulting from official duties is the same as that for criminal or traffic court. An employee will not enter into a financial arrangement to appear as a witness in a civil proceeding unless prior approval is granted by the Chief of Police, or designee.

D. Civil Cases

1. An employee who is served with any legal documents, subpoena or other written material related to a civil suit against themselves or any other employee of this department, as a result of the performance of any duty or responsibility as an employee of this department, will notify their Section Commander and the Office of Professional Responsibility (OPR), without delay.
2. If the OPR Commander determines that a case is substantially important to the County or the Chief of Police, the Office of the County Attorney will be advised of the action. Any related documentation received by the employee or the department will be forwarded to the Commander of the OPR.
3. An employee shall comply with all civil process and testify in civil cases when legally subpoenaed.
4. The Office of the County Attorney, if they represent the parties or the department, will release any information regarding a civil action. Employees should refrain from making any comments regarding the suit to opposing parties, their attorneys, citizens, the press or the broadcast media.
5. Nothing in this procedure restricts an employee from procuring the services of legal counsel in a civil case in which they are involved.
6. This section does not apply to an employee who is party, plaintiff, or defendant in any action not related to departmental employment.

E. Court Uniform Policy

1. For all court appearances, including General District Court (Traffic and Criminal), Juvenile & Domestic Relations Court, Circuit Court, Federal Court, Grand Jury, preliminary hearings, depositions and any other appearance in a judicial setting, officers will, without exception, appear in one of the attires listed below:
 - a. "Class A" uniform of the day if assigned to patrol and off-duty at the time of the court appearance or assigned to a non-patrol section.
 - b. Officers assigned to patrol and on-duty at the time of their court appearance are permitted to wear the standard duty uniform as defined in *518.01 Uniforms* subsection II.A.1. The Blauer street shirt must be worn with the exterior ballistic vest.


- c. Canine and motorcycle officers are permitted to wear their specialty uniforms, as defined in *518.01 Uniforms* subsection II.A.4. No other specialty uniforms are authorized for attending court.
- d. Civilian attire as defined in *518.02 Clothing Standards (Civilian Attire)* II.A.

2. Exceptions

- a. If assigned to midnight patrol and the officer has worked the night before their court appearance, they are permitted to wear their standard duty uniform as defined in *518.01 Uniforms* subsection II.A.1.
- b. If assigned to a light duty assignment at the time of their court appearance: Civilian attire as defined in *518.02 Clothing Standards (Civilian Attire)* II.A.
- c. The dress blouse required to be worn by Lieutenants and above is not required for court.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 12, 2020	Amends/Supersedes: February 14, 2020 May 1, 2015 January 9, 2013 January 1, 2008 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.01.10			

517.03 Vehicle Pursuit

I. Policy

Officers may engage in vehicle pursuits when necessary to apprehend criminal law violators. Officers and supervisors shall carefully evaluate the circumstances and apparent risks associated with each vehicle pursuit and shall not begin or continue a pursuit if the danger posed by the pursuit is unreasonable or outweighs the value of an immediate apprehension. An appropriate balance shall be struck between these competing duties.

II. Scope

Except where stated otherwise, this directive applies equally to pursuits:

- A. Initiated by Arlington County officers.
- B. Initiated by officers from other jurisdictions but subsequently joined by ACPD officers.
- C. Occurring entirely within Arlington County.
- D. Crossing jurisdictional boundaries.

III. Definitions

- A. Piranha – A tire deflation device used to puncture the tires of a stationary vehicle as a pursuit prevention tactic.
- B. Pursuit – Following and/or overtaking of a vehicle whose driver is actively attempting to elude the police either by increasing his speed or by using evasive maneuvers.
- C. Rolling Roadblock – A timing maneuver that involves the positioning of multiple police vehicles immediately in front of, behind, and alongside a vehicle that is disregarding a reasonable command to stop. Once the police vehicles are in this position, officers promptly reduce their speed in a coordinated manner, quickly bringing their vehicles and the suspect vehicle to a stop.
- D. Stationary Roadblock – Intentional obstruction of a roadway in order to cause the fleeing motorist to voluntarily stop or, failing that, be brought to a stop through impact (or threat of impact) with the blocking police vehicles and/or other fixed objects.

- E. Stop Stick - Tire deflation device used to bring a fleeing vehicle to a stop.
- F. Trailing – Following of a vehicle whose driver is not stopping, but who is also not increasing his speed or using evasive maneuvers.

IV. Procedures

A. Criteria for Initiating Pursuits

1. Criteria for Pursuits Inside Arlington County

Provided it can be performed without unreasonable risks, a vehicle pursuit is authorized when probable cause exists that a driver or occupant of a fleeing vehicle has committed, or is committing, any of the following offenses:

- a. Any violent felony;
- b. Any offense involving the use or threatened use of a firearm;
- c. Is currently wanted (warrants on file) for any of the above-listed offenses;
- d. Additionally, the Watch Commander may authorize a pursuit within Virginia if he/she makes a determination that a pursuit is necessary to abate a danger of a substantial likelihood of death or serious bodily injury created by the vehicle to be pursued. Pursuits authorized under this paragraph shall only be permitted in order to allow officers to attempt to stop the vehicle using tactical measures authorized by this section.

Officers are not permitted to briefly pursue a vehicle or trail a vehicle with emergency equipment activated for the sole purpose of performing a wanted check on the driver or occupant to determine if he/she is wanted for any of the above-listed offenses. Additionally, officers shall not join in a pursuit initiated by another jurisdiction that enters Arlington County unless the driver or occupant is wanted for any of the above-listed offenses.

2. Criteria for Continuing Pursuits into Other Virginia Jurisdictions

The criteria for continuation of a pursuit into another Virginia jurisdiction is the same as the criteria for pursuits inside Arlington County. When it appears likely that a pursuit will leave Arlington County, the pursuing officer shall notify the ECC, who shall contact the police agency of the jurisdiction about to be entered. Watch Commanders are not required to terminate a pursuit that enters a surrounding jurisdiction even if that jurisdiction will not assist Arlington units engaged in the pursuit. However, an additional factor to be considered, collectively with those in section B, in terminating the pursuit, is the level of familiarity with the jurisdiction.

The specific steps and procedures involved in continuing a pursuit into another Virginia jurisdiction are located in this directive in subsection *D. Management of the Pursuit*, which is specifically divided into officer, supervisor, and ECC responsibilities.

3. Criteria for Continuing Pursuits Outside Virginia

The continuation of a pursuit outside Virginia (e.g., into Maryland or the District of Columbia) is authorized only when probable cause exists that the driver or occupant of the pursued vehicle has committed, or is committing, or is wanted (warrants on file) for a ***felony*** involving violence or a threat of violence (e.g., rape, robbery, malicious wounding, etc.). When it appears likely that a pursuit will leave Virginia, the pursuing officer shall notify the ECC, who in turn shall contact the police agency for the jurisdiction about to be entered.

Watch Commanders are not required to terminate a pursuit that enters a surrounding state or the District of Columbia even if that jurisdiction will not assist Arlington units engaged in the pursuit.

The specific steps and procedures involved in continuing a pursuit into another Virginia jurisdiction are located in this directive in subsection *D. Management of the Pursuit*, which is specifically divided into officer, supervisor, and ECC responsibilities.

B. Conditions Affecting the Decision to Pursue - A variety of environmental conditions and other factors shall be considered when deciding whether to commence and/or continue a vehicle pursuit. These conditions and factors include, but are not limited to:

1. Time of day.
2. Traffic density (vehicular and pedestrian).
3. Zone characteristics (rural, school, and commercial zones, etc.).
4. Roadway design.
5. Condition of the road.
6. Weather.
7. Visibility.
8. Condition of the involved vehicles.
9. Seriousness of the crime.
10. Prospects for a later arrest by alternative means.

The above factors shall be assessed collectively in order to identify the apparent risk that a given pursuit poses. That risk shall be weighed against the value of an immediate apprehension, with a reasonable decision to be rendered accordingly.

C. Vehicle Eligibility - All police vehicles are authorized to participate in vehicle pursuits, subject to the following restrictions:

1. A marked Department vehicle should be the primary pursuit vehicle.
2. Only those officers who occupy a police vehicle that is equipped with emergency lights and siren may participate in a pursuit.

3. Officers in unmarked or special use vehicles should relinquish pursuit duties to officers in marked police vehicles as soon as it is practical to do so.
4. Officers operating special use vehicles, as defined in Manual Directive 517.04 *Specialty Vehicles*, shall comply with the unique pursuit requirements governing their respective vehicles, as established by that directive.
5. If a marked vehicle is unavailable, special use vehicles should relinquish pursuit duties to an unmarked vehicle.
6. When operationally necessary, officers in vehicles that are not eligible to participate in a pursuit may trail a suspect at a safe distance, observing all applicable traffic laws, and radio for the assistance of an officer in a pursuit-eligible vehicle.

D. Management of the Pursuit

1. Pursuing Officers' Responsibilities

- a. Initiation of the Pursuit - Prior to initiating a pursuit, an officer shall assess whether subsections *IV.A. Criteria for Initiating Pursuits* and *IV.B. Conditions Affecting the Decision to Pursue* support a decision to pursue. If they do, and the officer commences the pursuit, he shall immediately notify the ECC and:

- 1) Request a stolen/wanted check.
- 2) Identify the reason for the pursuit (crime or violation for which the driver or occupant is wanted).
- 3) Provide the pursued vehicle's description and direction of travel.
- 4) Indicate how many occupants are in the pursued vehicle, if known, and whether there is any reason to believe they are armed.

Additionally, an officer trailing a vehicle rather than pursuing it shall notify the ECC.

- b. Police Vehicle Operation – An officer's operation of a police vehicle during a pursuit shall be in accordance with departmental pursuit training. During a pursuit an officer is exempt from certain traffic laws, provided that the vehicle's emergency lights and siren are in operation, and the officer exercises due regard for safety. Subject to the restrictions found in subsection, *IV.E. Tactical Measures Used to Terminate Pursuits*, officers may also employ certain tactical measures to bring a pursued vehicle to a stop.
- c. Reassessment and Advisement - As a pursuit progresses, the conditions affecting the pursuit may evolve. Consequently, officers shall continually reassess the pursuit's appropriateness in accordance with subsections, *IV.A. Criteria for Initiating Pursuits* and *IV.B. Conditions Affecting the Decision to Pursue*.

- 1) The fact that a pursuit has been initiated in no way obligates an officer to continue the pursuit. Unless explicitly directed otherwise by a Watch Commander or supervisor, officers are authorized to terminate a pursuit upon their own authority at any time.
 - 2) Officers shall also ensure that the ECC is continually updated regarding all significant developments during a pursuit. When two or more police vehicles are engaged in the pursuit, an officer to the rear of the lead pursuer shall be designated by the ECC to provide routine updates. This designation allows the lead officer to devote full attention to driving, without having to attend to the police radio.
 - 3) Generally, other officers engaged in the pursuit shall refrain from unnecessary radio traffic, in order for the radio channel to remain available for the designated update officer, the dispatcher, and the supervisor monitoring the pursuit. However, this general requirement does not prevent any officer from conveying important information that otherwise is not being reported.
- d. Crossing Jurisdictional Boundaries - When it appears likely that a pursuit will leave Arlington County, the pursuing officer shall notify the ECC, who in turn shall contact the police agency for the jurisdiction about to be entered. The pursuit may be continued if the conditions identified in *IV.A. Criteria for Initiating Pursuits* remain ongoing. The following protocol should be applied:
- 1) ACPD units will discontinue a pursuit as soon as the agency with primary jurisdiction has engaged in the pursuit or ACPD units have been advised by radio or otherwise recognize that their assistance is no longer needed - in which case the primary unit shall notify the ECC that the transfer for responsibility of the pursuit has occurred.
 - 2) Once a pursuit has been discontinued by ACPD units, permission to continue to the pursuit termination point and assist the other jurisdiction requires approval from the Watch Commander or a supervisor.
- e. Post-Pursuit Processing and Arrests - At the conclusion of a pursuit, all appropriate investigative tasks shall be performed, and the pursued vehicle shall be impounded, where appropriate.
- 1) If the pursuit ended in a jurisdiction other than Arlington County, processing and impoundment may be performed by police officers from the other jurisdiction or may be performed by ACPD officers if the other agency agrees.

2) If an apprehension is made, the following procedures apply:

- i. If the arrest occurred in Arlington County and Arlington County charges are to be filed, the suspect shall first be taken before an Arlington County magistrate. He may subsequently be released to officers from other jurisdictions after the Arlington charges have been placed.
- ii. If the arrest occurred in either Alexandria, Falls Church, or Fairfax County, officers from the jurisdiction where the arrest occurred shall have the option to immediately charge in their jurisdiction. Once those charges have been placed, the suspect may be returned to Arlington for the filing of Arlington charges.
- iii. If the arrest occurred in a Virginia jurisdiction other than Alexandria, Falls Church, or Fairfax County, the suspect shall be taken to a magistrate in the jurisdiction where the arrest occurred. If Arlington charges are to be placed, they shall be placed with the magistrate in the County where the arrest occurred.
- iv. If the arrest occurred in the District of Columbia or another state, normal extradition procedures shall be followed.

Officers desiring further guidance on the processing of arrests in other Virginia jurisdictions may refer to sections 19.2-76 and 19.2-77 in the Code of Virginia.

2. Supervisor's Responsibilities

- a. General Responsibilities - Upon learning of a pursuit, the Watch Commander and other affected supervisor(s) shall:
 - 1) Monitor the radio channel where the pursuit is broadcast.
 - 2) Provide appropriate instructions to pursuing units in a manner consistent with chain of command and established incident command procedures.
 - 3) Promptly ascertain the basis for the pursuit and determine whether its continuation is appropriate.
 - 4) Order the termination of a pursuit if the supervisor believes the pursuit is not justified or that the dangers associated with the pursuit outweigh the potential benefits of an immediate apprehension.
 - 5) At the earliest practical opportunity confirm with the dispatcher that the ECC has requested aviation assistance, as described in subsection, *IV.D.3. ECC Responsibilities*.
- b. Crossing Jurisdictional Boundaries - Once the other agency's units are in position, and a transfer of primary responsibility can be made without jeopardizing the success of the pursuit:

- 1) ACPD officers shall fall back and permit the other agency to become primary.
 - 2) The ECC shall be notified when this transfer occurs.
 - 3) The Watch Commander (or supervisor) shall then designate unit(s) to continue in the pursuit with the other agency.
 - 4) At this point all other non-supervisory ACPD units shall discontinue their involvement in the pursuit.
- c. Authorizing Tactical Measures - During the course of a pursuit, the Watch Commander or supervisor shall also assess potential opportunities to end the pursuit through various tactical measures, including the deployment of Stop Sticks and roadblocks, etc. For more information regarding these measures, refer to subsection, IV.E. Tactical Measures Used to Terminate Pursuits.
- d. Post-Pursuit Duties
- 1) The Watch Commander or supervisor shall respond to the scene of an apprehension following a vehicle pursuit.
 - 2) Ensure that all appropriate evidence processing and arrest activities are performed.
 - 3) Ensure photographs are taken and any video or audio documenting the encounter is preserved.
 - 4) Complete a Vehicle Pursuit review in BlueTeam in accordance with subsection IV. F. *BlueTeam Incident Assignments*
- e. Pursuit Related Death or Serious Bodily Injury - In any instance where death or serious bodily injury occurs during the course of a pursuit, refer to Manual directive 538.07 *Officer Involved Action Resulting in Death or Serious Bodily Injury*.

3. ECC Responsibilities

- a. General Responsibilities - Upon receiving notification from an officer that they are in pursuit, the ECC shall:
- 1) Dispatch an appropriate number of additional units to assist with the pursuit.
 - 2) Inform the Watch Commander via radio or, if necessary, by telephone.
 - 3) Identify the primary officer (lead pursuer) and designate a secondary officer to perform radio duties during the pursuit.
 - 4) Perform a stolen check and obtain registration information for the license tag number provided by the officer.
 - 5) Request helicopter or other aviation assistance from any nearby law enforcement agency having such capabilities.
 - 6) Where appropriate, dedicate the primary radio channel to the pursuit, and move call-handling to an alternate channel.

- b. Crossing Jurisdictional Boundaries - When a pursuit moves, or is about to cross into another jurisdiction, the ECC shall:
 - 1) Quickly notify the police agency for that jurisdiction.
 - 2) Provide the pursuit's current location and direction of travel.
 - 3) Inform the other agency of the reason for the pursuit.
 - 4) Specifically inquire whether it will be joining the pursuit.
 - 5) Immediately inform the Watch Commander or other supervisor directing the pursuit of the other agency's decision to take part in the pursuit.

This information is crucial, as the ACPD Watch Commander's decision regarding the number of Arlington units to send into the other jurisdiction will, in most cases, depend upon the other agency's response. If the other agency's dispatcher is unable to provide an immediate answer to the above question, the ECC shall remain in direct contact whether by PMARS or telephone, etc., until the answer becomes available.

E. Tactical Measures Used to Terminate Pursuits - Officers may employ the following measures to bring a pursuit to an end and shall only utilize these techniques after being trained to do so:

1. Stop Sticks - Stop Sticks shall be deployed in accordance with the officer's stop-stick training, as well as the manufacturer's instructions.
 - a. These sticks shall be positioned at locations where the movement of other vehicles (e.g., vehicles operated by the general public and police vehicles involved in the pursuit) can be controlled, in order that unintended vehicles not come into contact with the sticks.
 - b. Officers shall also keep in mind that the pursued vehicle's tires will likely deflate within 20-60 seconds after striking the Stop Stick, and the pursued driver's ability to control their vehicle may be diminished as a result.
 - c. Accordingly, when deciding if and where to deploy Stop Sticks, officers shall carefully consider the potential risk to pedestrians and other drivers that may be posed by the pursued driver's diminished control of his vehicle.
2. Rolling Roadblock – Rolling Roadblocks are used to box in a stationary vehicle to prevent it from going mobile, or on a vehicle that is not stopping, (e.g. - driver not stopping, not evading, not fleeing, etc.). It is not to be used as a tactic to bring a vehicle pursuit to an end and should not be initiated at high speeds. A rolling road block shall only be attempted by officers trained in this technique by ACPD EVOC staff.

Supervisory approval is required for the deployment of a rolling roadblock. Prior to approving such a roadblock, supervisors shall consider the unique risks associated with this maneuver. These risks include:

- a. The risk that the vehicle being shadowed will collide with police vehicles if the driver attempts to avoid being boxed in, and/or fails to reduce the speed of the vehicle.
- b. The vulnerability to close-range gunfire that the officers will experience when they move into boxing positions.
- c. The risk that uninvolved traffic to the rear of the pursuit will overtake and then interfere with or be affected by the pursuit as police vehicles and the pursued vehicle come to a gradual stop on the roadway.

The use of a civilian, non-police vehicle as part of a rolling roadblock, whether or not such use is consensual on the part of the citizen, is forbidden.

- 3. Stationary Roadblocks - Generally, stationary roadblocks are considered to be more dangerous than rolling roadblocks, therefore extreme caution shall be exercised when deploying such roadblocks. The following requirements apply:
 - a. Only a Department Commander, Watch Commander or Acting Watch Commander have the authority to approve the deployment of a stationery roadblock.
 - b. The roadblock is placed in a highly visible location that can be seen from a distance and provides approaching drivers with adequate warning and ample stopping distance.
 - c. At least one police vehicle with its emergency lights flashing is positioned prominently in the roadblock.
 - d. All vehicles used in the roadblock are unoccupied.

Unlike rolling roadblocks, there is no absolute prohibition against using a civilian vehicle in a stationary roadblock. Such use is generally discouraged, however, and should be employed only in the most extreme cases. Further, in no instance shall an owner, driver, or occupant of a civilian vehicle be permitted to move that vehicle into position or otherwise become personally involved in any aspect of a roadblock's implementation.

- 4. Ramming, Bumping, and Other Intentional Impact Maneuvers - The intentional ramming or bumping of a pursued vehicle by a moving police vehicle is an extreme course of action reserved for life-threatening situations. Such action is appropriate only when the dangers posed by the pursuit to officers and/or the general public are so dangerous that the pursuit must be ended quickly, even at the risk of causing an accident.
 - a. To the extent that is feasible and practical, if a decision to ram or bump a pursued vehicle is made, officers shall select a location where the risk of injury to bystanders, as well as to the officers and pursued vehicle's occupants, will be minimized.

- b. The initiation of intentional contact between a moving police vehicle and a pursued vehicle may subsequently be interpreted as a use of deadly force and therefore subject to Manual directive *538.04 Use of Force*.
- 5. Shooting at a Pursued Vehicle – Manual directive *538.04 Use of Force* sets forth regulations pertaining to the use of force generally and firing at moving vehicles specifically.

F. Pursuit Prevention Techniques

1. Piranha Tire Deflation Device

- a. Piranha tire-deflation devices may only be used by officers trained in their deployment and only on a stationary target vehicle in order to prevent a pursuit.
 - b. The following factors must be considered prior to the deployment of a Piranha:
 - 1) The potential for a subject to flee from police.
 - 2) The occupant of a vehicle has just committed a criminal offense or is indicating a wanted status in NCIC/VCIN.
 - 3) The vehicle or license plate is indicating a stolen status in NCIC/VCIN.
 - 4) Deployment does not present an extraordinary risk to the personal safety of the officer.
 - 5) The deployment location allows for subsequent observation of the target vehicle.
 - c. A Piranha should not be deployed on vehicles with fewer than four wheels.
2. Tactical Vehicle Containment – Surrounding a stationary, stopped, or stopping motor vehicle with police vehicles or other barriers in order to effectively prevent it from being moved. Supervisory approval is not required to employ this technique.

G. BlueTeam Assignments

1. Supervisor Responsibilities

- a. All vehicle pursuit incidents, tactical measures, and pursuit prevention techniques used to terminate or prevent a pursuit will be entered into BlueTeam (Vehicle Pursuit or Vehicle Stop – Tactical Measures); except for the deployment of a Piranha where the vehicle does not go mobile.
- b. Each BlueTeam screen will be populated with the requisite incident details and supplemented by a summary of the event, the associated Case Report, and any other relevant materials.

- c. Upon completion of the BlueTeam incident report it shall be forwarded through the chain of command to the Office of Professional Responsibility (OPR) and the Chief of Police.

2. Office of Professional Responsibility Review


- a. All vehicle pursuit incidents entered into BlueTeam will be reviewed by OPR to assess whether any related policy, training, or equipment issues should be addressed.
- b. OPR shall annually perform a review of all vehicle pursuits occurring within the last calendar year to assess whether any related policy, training, or equipment issues should be addressed.

- H. After Action Review

1. At the conclusion of an administrative review or investigation following a pursuit or the use of a tactical measure to terminate or prevent a pursuit, the Watch Commander, other supervisors, and subordinate officers involved in the incident should convene an after-action meeting, with a focus toward learning from the experience in order to achieve a better outcome or to repeat the success in the future.
2. This critique shall not be scheduled while any departmental review involving the incident is in progress.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 1, 2020	Amends/Supersedes: September 28, 2018 SO 2015-04 May 4, 2017 August 1, 2016 May 14, 2015 January 9, 2013 June 1, 2011 January 3, 2012 May 3, 2010 January 1, 2008	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): PER.03.04, OPR.01.05,			

518.01 Uniforms

I. Policy

It is important that the public be able to easily recognize Arlington County Police Department (ACPD) personnel who are assigned to patrol, traffic direction, and emergency intervention services. Therefore, a distinctive uniform that is unique to the department is mandated for patrol officers, auxiliary officers, public service aides, and crossing guards. These employees will wear, use, or display only uniform or equipment authorized in this directive. Deviations from the standard uniform are not permitted, except as specified by this directive or authorized in writing by the Chief of Police. Sworn personnel assigned to non-uniformed duties shall maintain a uniform in readiness at their work site or inside their vehicle in order that they may be quickly redeployed to uniformed duties in the event of an emergency.

II. Procedures

A. Types of Uniforms

1. Standard Duty Uniform - The standard duty uniform is considered the basic uniform of the department and shall be worn by sworn officers assigned to patrol, general public service, and police/county-related secondary employment. The standard duty uniform consists of:
 - a. Badge and nametag - See subsection II.D
 - b. Ballistic vest - Personnel will only wear ballistic vests issued by the department. All body armor issued by the department is required to comply with current [National Institute of Justice \(NIJ\) body armor performance standards](#). A ballistic vest may be worn beneath the uniform shirt or sweater, or in an outside carrier specifically manufactured for the particular model of vest in question.

- 1) Uniformed officers will wear body armor at all times when conducting operations, patrol, or enforcement activities in the field. Officers wearing the standard issue outer vest carriers with molle are required to display their metal badge or polymer / rubber badge, Velcro name tag, and a "POLICE" patch, with an American flag patch centered directly above it, on the rear of their vest. 1 ½ x 1 ½ Velcro rank tabs shall be worn on the right side of the ballistic vest above the name.
 - 2) Certain officers may be issued and wear the Class A outer carrier. This carrier resembles the Class A shirt and is to be utilized in conjunction with the standard issue ballistic panels and is intended for non-operations, non-patrol and sworn not engaged in enforcement activities. The metal badge, metal name plate shall be worn on this garment. Department awards and pins may be worn.
 - 3) Non-uniformed officers will wear body armor when engaged in operations patrol, or enforcement activities in the field.
 - 4) The Chief of Police or designee may authorize exceptions to the mandatory-wear requirement under the following circumstances:
 - a) A medical condition certified by a physician that precludes wear.
 - b) Undercover operations that could be compromised.
 - c) Officers engaged in purely administrative work and not in the field.
 - 5) Rifle plates will be issued to officers assigned to the Operations Division who request them, and others as directed by the Chief of Police or designee. Rifle plates and carriers shall be:
 - a) Worn at all times when wearing the ballistic vest.
 - b) Visually inspected monthly for general wear and will be x-rayed yearly or if dropped from a significant distance.
- c. Belt, Duty - A platform to attach and carry a uniformed officer's duty gear including the holster and pouches for other essential law enforcement equipment. For duty belts that have a metal buckle, nickel is the standard issue for a non-supervisor and brass is the standard issue for a supervisor.
 - d. Belt, Trouser - Black leather or synthetic leather-like material; corresponding in width to the belt loops appearing on the uniform trousers; detachable buckles are permitted, if they are of a plain design (nickel for non-supervisory officers, brass for supervisors); required at all times; procured privately by the officer
 - e. Blauer Street Shirt – Worn underneath the exterior ballistic vest or under the department sweater when a ballistic vest is worn beneath; worn with BDU trousers; not permitted with the "Class A" uniform,

unless assigned to the Special Operations Section; optional, with no seasonal restrictions. No rank designation is to be worn on this shirt.

- f. Dickey or Turtleneck (including mock turtlenecks) - Navy blue or black; with or without "ACPD" lettering (gold letters for supervisors, white for non-supervisors); worn beneath long-sleeve shirt or sweater; optional, with no seasonal restrictions; procured privately by the officer.
- g. Duty gear (utility belt, holster, handcuffs, etc.) - See subsection II.B
- h. Earmuffs - Navy blue or black with no logos or designs; optional during cold weather; procured privately by the officer.
- i. Gloves – Black; full-finger style only; no metal inserts or fill materials; optional, with no seasonal restrictions; procured privately by the officer.
- j. Hat or Cap - Optional, with no seasonal restrictions; standard dress hat; baseball cap; navy blue knit cap (watch cap) with the badge patch sewn on its front; all three items issued by the department, with privately procured knit hats (with the patch subsequently applied) are also permitted.
- k. Jacket, Gore-Tex - Navy blue with ACPD shoulder patches on sleeves; optional, with no seasonal restrictions; issued by the department.
- l. Jump Suit - Worn only with supervisory approval, and only for specific tasks; issued by the department.
- m. Necktie - Black clip-on variety only; secured with a department-issued tie clasp; not permitted with short-sleeve shirt; required with class "A" uniform issued by the department.
- n. Raingear - Reversible orange-black rain coat; black rain boots; optional; All items issued by the department.
- o. Scarf - Navy blue or black with no logos or designs; ends must be tucked inside the jacket; optional during cold weather; procured privately by the officer.
- p. Shirt, Uniform – Navy blue with ACPD shoulder patches; long or short sleeve-length at the officer's discretion, regardless of season; necktie required with class "A" uniform, issued by the department.
- q. Shoes or Boots - Solid black with no writing, logos, or designs; oxford or standard military-uniform styling; genuine or simulated leather in the basic shoe area, with canvas or similar synthetic material permitted at or above the ankle only; appearing solid black in color; black laces; required at all times; procured privately by the officer.
- r. Socks - Opaque navy blue or black with no writing, artwork, or designs; other colors permissible with boots only, provided they are not visible to the public; required at all times; procured privately by the officer.

- s. Sunglasses - Solid black, gray, or brown frames (bright or unusual colors and designs not permitted); optional, with no seasonal restrictions; procured privately by the officer.
 - t. Sweater – Navy blue with department shoulder patches; optional, with no seasonal restrictions; issued by the department; requires a long sleeve uniform shirt, dickey or turtleneck underneath.
 - u. Undershirt – Optional wearing of white or navy-blue t-shirt; crew neck or V-neck; procured privately by the officer.
 - v. Uniform trousers - Dark navy blue required at all times; dark navy blue BDU trousers in Operations/Patrol; issued by the department.
 - w. Windbreaker - Navy blue with ACPD shoulder patches on sleeves; optional, with no seasonal restrictions; issued by the department.
2. “Class A” Dress Uniform - The “Class A” uniform is worn by sworn officers to court, at funerals, formal ceremonies, and other special events selected by the Chief of Police or designee and consists of the following:
- a. Dark navy-blue uniform trousers.
 - b. Long sleeve shirt worn with a tie or a short sleeve worn without a tie.
 - c. The items worn on the “Class A” uniform are the same as those for the standard duty uniform.
 - d. The eight-point dress hat with hat badge.
 - e. The firearm shall be carried in a holster approved for use with the “Class A” uniform.
 - f. The dress blouse shall be worn by Lieutenants and above and certain Training Staff, Honor Guard and others as directed by Chief of police or designee. Department awards are required to be displayed on the blouse or jacket (see subsection II.D). Motorcycle officers have the option to wear their leather jackets, if preferred.
 - g. In especially cold weather, the Chief of Police or designee may authorize the wearing of the Gore-tex jacket in lieu of the dress blouse.
 - h. Earmuffs are prohibited.
3. Auxiliary Officer’s Uniform - The items worn on the auxiliary officer’s uniform are the same as those for the standard duty uniform, with the following exceptions and modifications:
- a. The uniform shirt is the standard duty uniform shirt bearing the word “Auxiliary” sewn onto the shirt immediately above the shoulder patches.
 - b. No firearm or holster is worn on the auxiliary officer’s duty gear.

4. Specialty Uniforms - Certain types of specialty assignments require the employee to wear clothing items not included on the standard duty uniform. Therefore, Commanders of sections and units deploying specialty assignments may promulgate uniform regulations applicable solely to the specialty personnel under their commands. For purposes of this directive, public service aides and crossing guards are considered specialty assignments.
- B. Duty Gear (Weapons and Personal Equipment) - The wearing of duty gear around an officer's waist is normally required with the standard duty uniform. However, officers of any rank may decline to wear such gear while working in a staff function, provided that their full duty gear remains readily available. When the officer is on duty, in uniform, assigned to a non-operations position, and duty gear is declined, then the officer shall wear his firearm in an approved holster attached to the trouser belt (see Manual Directive 538.01 *Firearms* for additional firearm and holster requirements).

Officers shall select duty gear made of smooth black leather, smooth black simulated leather, or nylon. Generally, officers shall not mix differing textures (e.g., nylon holster with a leather belt. etc.). However, this requirement shall not apply if a particular item cannot be procured in the officer's normally selected texture.

1. Mandatory items to be carried on an officer's duty belt include:
 - a. The issued firearm in a department approved holster, or in a privately procured holster that has been approved by the range officer, and with which the officer has qualified on an approved course of fire.
 - b. Two pistol magazines, loaded with department issued ammunition, and carried in an approved magazine pouch.
 - c. At least one set of handcuffs carried in a handcuff case or secured by a handcuff strap. A handcuff key must also be carried somewhere in the officer's possession.
 - d. Officers shall carry a minimum of one less lethal device on their duty belt. Officers issued a department Taser shall carry the device in an approved holster and/or approved drop-leg holster on their support side
2. Officers are authorized to attach the following items on their outer carrier vest, but are not required to do so if they prefer to carry items on their duty belt:
 - a. Two additional pistol magazines, one rifle magazine or shotgun shell carrier in a pouch authorized by Armory staff, that is placed on the officer's support side in a vertical configuration. Rifle and pistol magazine pouches shall not be stacked or attached to one another.
 - b. A department issued ASP baton and OC spray attached by their holders, on the officer's support side. A tourniquet - positioned so that it may be accessed by either hand. A backup pair of handcuffs carried in a handcuff case, tactical flashlight, in-car camera microphone, E-

Collar controller for Canine Officers, and a police radio. Additionally, a small utility knife or similar multi-purpose tool with a folding blade no greater than 4 inches in length and concealed from view is permitted – the pocket clip is permitted to be exposed.

- c. TASERs shall **not** be attached to the outer vest carrier.
 - d. The above procedures shall not apply to the SWAT outer carrier vest.
3. Optional items authorized for inclusion among an officer's duty belt include:
- a. PR-24 and holder.
 - b. Flashlight and holder (standard size or mini-flashlight).
 - c. Small utility knife or similar multi-purpose tool a folding blade no greater than 4 inches in length, carried in a holder designed for that purpose.
 - d. Cell phone clipped to the duty belt or carried in a pouch/holder.
 - e. Items of duty gear that are privately procured shall be subject to supervisory approval on a case-by-case basis.
- C. Trauma Kit - The department issued trauma kit has been designed to enable any officer to initiate stabilizing care to her/himself or to another officer injured in the line of duty. It contains medical supplies, that when utilized properly, will allow for immediate first aid during the critical moments before the arrival of medical assistance. Guidelines and training shall be as follows:
- 1. The trauma kit may be worn but will always be kept readily available for emergencies.
 - 2. All trauma kits, when not worn, shall be affixed to the passenger side headrest of the assigned police vehicle, or, in the left saddlebag (rear) for motor officers.
 - 3. The contents of the trauma kit shall not be altered in any way.
 - 4. All trauma kits will be standard in their configuration.
 - 5. Officers may, at their discretion, carry the tourniquet from the trauma kit on their outer vest carrier or their left BDU pant pocket in the approved tourniquet pouch. Tourniquets will not be carried in other pouches or pockets.
 - 6. Tourniquets are a one-time use item. If used, this must be replaced. Do not use the issued tourniquet for training.
 - 7. Officers will receive training on the appropriate use of components of in the trauma kit prior to issuance.
 - 8. To carry a trauma kit, officers must pass the department's training course and complete the hands-on block of instruction.
 - 9. Annual refresher training will be provided for skills and knowledge maintenance.

10. Officers shall document the use of trauma kit items in an IBR and provide a copy of the report to the Tactical Training Unit (TTU) supervisor. The TTU will replace items, as needed.

D. Badges, Pins, and Awards

1. Badge and Identification Card

- a. An officer's metal badge, an embroidered badge, polymer/rubber badge or a sewn badge patch shall, at all times, be affixed to the officer's outermost garment. Only the metal badge is permitted upon the dress blouse and Class A shirts.
- b. When the outer garment displays an embroidered badge, polymer/rubber badge or sewn badge patch, the officer's metal badge shall be affixed to the officer's shirt.
- c. The badge shall be placed in alignment with pre-existing spike holes or Velcro if such spike holes and/or Velcro exist on the garment.
- d. Officers shall carry their issued identification cards with them at all times while on-duty and at all times while off-duty inside Arlington County.

2. Nametags - Officers are issued two nametags. One shall be affixed to the jacket or other outer torso garment, while the second is affixed to the uniform shirt. Placement of the nametag shall be as follows:

- a. When a garment has pre-existing spike holes for the nametag, these holes shall be used.
- b. If spike holes are not present and the garment has a right pocket, the nametag shall be centered on the right pocket flap with its top edge parallel to, and immediately below, the pocket's top seam.
- c. If neither spike holes nor pocket exist, the nametag shall be placed where the top seam of the right pocket flap would otherwise be located.
- d. Only the officer's last name shall be displayed upon the nametag.
- e. Nametags are silver in color for non-supervisory officers, and gold for supervisors.

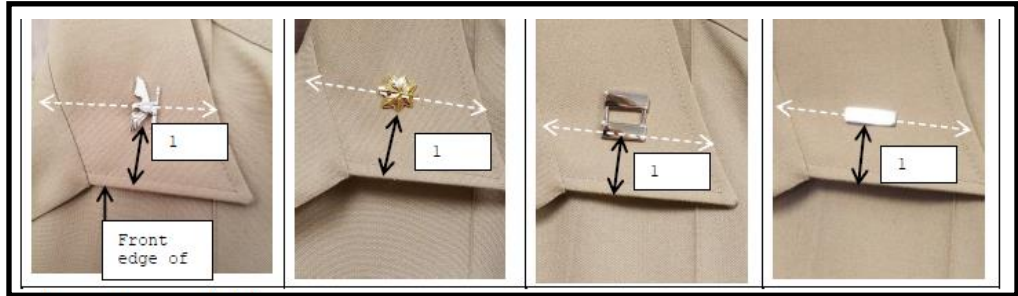
3. Rank designations are displayed in miniature metal, large miniature and Velcro on different garments.

- a. Miniature metal rank designations shall be worn on each collar of all Class A shirts.

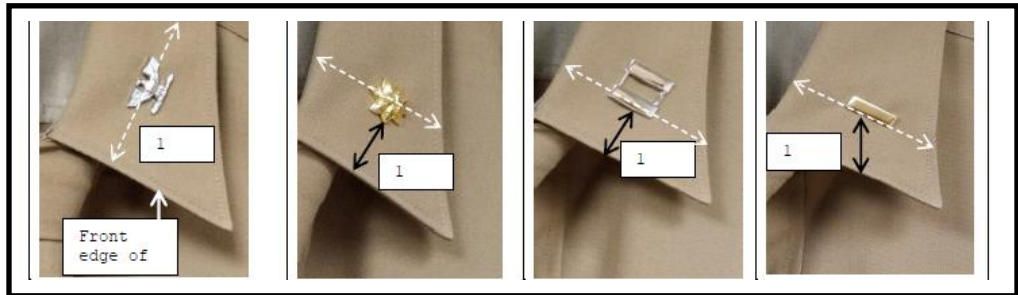
Ranks from P1 through First Sergeant will be worn facing the corner of the shirt collar with $\frac{1}{2}$ inch from each side of the rank to the shirt collar.



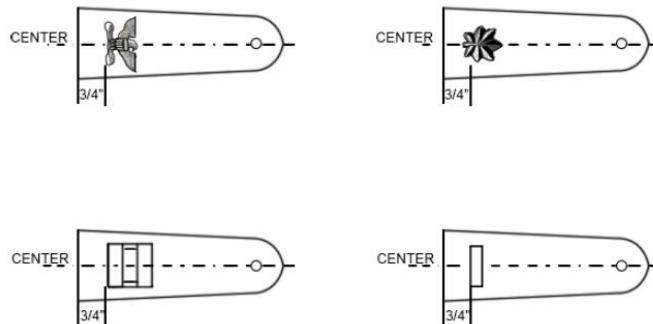
- b. Lieutenant through Chief will be worn as displayed below on short sleeve Class A shirt.



- c. Lieutenant through Chief will be worn as displayed below on long sleeve Class A shirt



- d. Large metal rank designations shall be worn on each epaulet of the dress blouse



- e. Large metal rank designations shall be worn on each epaulette of the sweater or older outer winter jackets same as Dress Blouse.
- f. 1 ½ x 1 ½ Velcro rank tabs shall be worn on the right side, above the name on the ballistic vest, solid black rain jacket and navy-blue fleece.
- g. The symbols used to designate various ranks include:

- Chief of Police – silver eagle
- Deputy Chief – silver oak leaf clusters
- Captain – double gold bars
- Lieutenant – single gold bar
- First Sergeant – three gold chevron stripes up, three gold rockers down and one gold diamond in the middle

- Sergeant – three gold chevron stripes
 - Corporal – two silver chevron stripes
 - Officer – one silver chevron stripe
 - FTO/MPO – diamond beneath the one-chevron or two-chevron stripes
 - Recruit – no rank designation until released from probationary status.
- h. In addition to the above designations, the ranks of supervisory officers shall be displayed on the sleeves of dress blouses by gold braid stripes, one-half inch in width, near the cuffs. The number of braided stripes shall reflect the officer's rank according to the following progression:
- Chief of Police – four braided stripes.
 - Deputy Chief – three braided stripes.
 - Captain – two braided stripes.
 - Lieutenant – one braided stripe.
- i. First Sergeant shall wear the large metal rank on the collars of the "Class A" shirts.
4. Department Awards - Award pins/ribbons shall be worn directly above the right pocket on the uniform shirt, or dress blouse. Awards shall be displayed in rows of two or three pins each. If an even number of awards are worn, the top row shall be the row displaying only one or two awards. Officers may arrange awards in any sequence they prefer. The display of departmental Awards is mandatory on the dress blouse and optional on the uniform shirt. The below-listed awards are authorized for display:
- a. Valor Award – awarded for heroic actions performed above and beyond the call of duty, generally involving exceptional bravery and exposure of the officer to the risk of death or serious injury.
 - b. Purple Star – awarded to employees who sustain a significant injury in the line of duty.
 - c. Life Saving Award – awarded to employees for actions taken to save the life of another officer or a citizen.
 - d. Meritorious Service Award – awarded to employees who demonstrate superior performance in response to a specific incident or situation.
 - e. Police Service Award – awarded to employees who provide exceptional long-term or general service to the Department and/or the County.
 - f. September 11 Pentagon Pin – awarded to employees for service during the Police Department's response to the terrorist attack upon the Pentagon on September 11, 2001.
 - g. Civil Disturbance Pin (previously known as the IMF Pin) – awarded for participation in the quelling of civil unrest and/or the containment of selected protest demonstrations, as identified by the Chief of Police.
 - h. Valor, lifesaving, and/or meritorious service awards received while previously employed at a former law enforcement agency.

- i. Other police-related and/or community-service awards given by an outside agency, for police-related actions or exceptional community service. Subsequent approval for display on the department uniform is required by the Deputy Chief of Operations.
 - j. United States Armed Forces veteran pins. Issued to officers who have served in one of the six (6) branches of the United States Military; Army, USMC, Air Force, Navy, Coast Guard, Space Command.
 - k. United States Armed Forces valor ribbons (bronze star and higher) and/or one combat campaign ribbon per conflict, provided that the employee served in-theatre for the combat campaign in question. These awards may be displayed only on Memorial Day, Veterans' Day, and Armed Forces Day.
- 5. Unit and Skill Pins - The following unit/skill pins are authorized for wear at the locations specified:
 - a. Pistol Expert Pin – authorized for wear by any officer whose most recent pistol qualification score was 93% or better (worn centered on the left pocket flap, with the top edge of the award immediately below the pocket's top seam).
 - b. Motor pin – authorized for wear by current members of SOS, and by former members who are still motor-certified and are periodically utilized in that capacity (worn above any departmental awards).
 - c. ERU pin – authorized for wear by current and former members of ERU (worn above any departmental awards).
 - d. Honor Guard pin – authorized for wear by current members of the Honor Guard (worn above any departmental awards).
 - e. CDU pin - authorized for wear by current members of the Civil Disturbance Unit (worn above any departmental awards).
- 6. Other Agency Pins - The following pins from outside agencies are authorized for wear at the locations specified:
 - a. SMIP - authorized for wear by graduates of the program (worn centered on the left pocket flap).
 - b. FBI NA - authorized for wear by graduates of the program (worn centered on the left pocket flap).
- E. Mourning Bands - Black or black/blue mourning bands shall be worn over the Virginia seal portion of all publicly displayed department badges:
 - 1. From the time an officer in the Tri-State area is killed in the line of duty, until midnight of the day of internment.
 - 2. From the time an officer, who is an immediate family member of an officer of the department, is killed in the line of duty until midnight of the day of internment.

3. During *National Police Week*, commencing at midnight on Sunday evening and concluding at midnight on Friday evening. In lieu of the mourning band, an officer may wear the Department authorized commemorative Police Week badge.
4. At any other time designated by the Chief of Police or designee.

For purposes of this subsection, line-of-duty deaths include any death resulting from the performance of a law enforcement function.

- F. Use and Availability of Uniforms - Every sworn officer is required to maintain at least one complete uniform readily available during work hours. This uniform shall be of a type which the officer is authorized to wear (e.g., standard duty or a specialty uniform, etc.).
 1. It may be worn, stored at the worksite, or kept in a vehicle.
 2. Uniforms shall be worn in a clean and neatly pressed condition and shall convey a professional appearance.
 3. They shall be worn only during work hours while attending court or other police-related functions, or while engaged in police/County-related secondary employment.
 4. They may be worn while travelling to and from the worksite.
 5. Any request by an officer for approval to wear their uniform or utilize a police vehicle for a ceremonial event or parade should be made in writing to the Chief of Police through their chain of command.
- G. Use and Availability of Name, Logo or Patch - The use of the name, logo, patch, seal, or badge of the Arlington County Police Department may be used only with the written permission of the Chief of Police. Employees may not download, use, disseminate, publish or copy the seal, markings, logo or badge displayed on any internet site for personal use without written permission from the Chief of Police, or designee.
- H. Issuance and Inventory of Uniforms - The Evidence & Inventory Management Unit (E&IMU) shall maintain stocks of uniform and equipment items. The E&IMU shall periodically inspect these stocks to ensure that they are stored in clean, serviceable condition, and that sufficient quantities of essential items remain on hand for immediate issuance to employees. The E&IMU shall issue uniform and equipment items directly to employees and shall replace these items when they become unserviceable. The supervisor of the E&IMU shall ensure that accurate records, including handwritten receipts and computerized database entries, are made for all such transactions.
- I. Care, Inspection, and Replacement of Uniforms - Employees are responsible for the proper care and maintenance of the uniform and equipment items that have been issued to them. Employees shall ensure that their issued equipment remains in good working condition and that their uniforms bear no significant tears, fraying, or discoloration, etc. Supervisors shall inspect their subordinates' uniforms and personal equipment to ensure compliance with the

above requirements. These inspections shall occur in all divisions of the department, and shall include:

1. Informal daily observation.
2. A formal monthly inspection of items actually worn and carried at the worksite on the date of the inspection.
3. An annual inspection of all issued items that are not used on a daily basis and are not part of a regularly issued uniform.


When items are no longer serviceable or no longer fit properly, the employee shall contact the E&IMU to arrange replacement. Items that become damaged or lost through no fault of the employee, or simply become unserviceable through normal wear, shall be replaced at the Department's expense. Items that become damaged or lost as a result of employee negligence shall be replaced at the employee's expense.

Upon an employee's retirement, resignation, or termination, all issued uniform and equipment items in the employee's possession shall be returned to the E&IMU prior to the employee's departure.

- J. Uniform & Equipment Committee - A uniform & equipment committee may be periodically convened to review uniform, equipment, and vehicle usage in order to recommend changes to the Chief of Police.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 4, 2017	Amends/Supersedes: November 16, 2015 January 18, 2013 January 25, 2007	By Authority of the Chief of Police  Charles A. Penn
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519.01 Wireless Communication Devices

- I. Policy** - The use of wireless communication devices by police personnel has the potential to improve operational and administrative efficiency, and also permits officers to respond more quickly to citizen inquiries and requests.

Consequently, it is the policy of the Department that use of wireless communication devices by on-duty personnel is authorized, provided that such use occurs in a safe, professional manner and, if using a county-owned device, that the County does not incur significant expenses unrelated to official County business. Each employee assigned a County-owned wireless communication device is responsible for the proper care and operation of that device.

II. General Procedures

- A. General Use – All transmissions on wireless communication devices should be kept as brief as possible. Employees shall not make transmissions of an unprofessional nature or which might interfere with other transmissions. Profane or obscene language is prohibited at all times.
- B. Issuance of County-Owned Wireless Communication Devices - County-owned wireless communication devices may be issued to employees based on their job assignment or to employees whose duties and responsibilities require quick access to telephone and/or electronic services while traveling or while deployed to the field.

Any employee who believes that they, or their subordinate, need a County-issued wireless communication device may submit a written request through their chain of command to the respective Deputy Chief of Police, who shall then render a decision.

- C. Lost, Stolen or Damaged Wireless Communication Devices – County-owned wireless communication devices are not covered under warranty for damage by water, shattered screens, or other destruction. Employees using County-owned wireless communication devices shall take all reasonable steps to protect and safeguard those devices. Devices that are lost or damaged as a result of employee carelessness, neglect, or misuse may be replaced at the employee's expense. County staff will review malfunctions and accessory damage on a case-by-case basis and replace the item at their discretion. Employees found responsible for the destruction, loss or misplacement of department equipment through negligence may be subject to disciplinary action.

- D. Restrictions – Cellular telephones, mobile and portable radios, and MDT's are capable of interfering with blasting operations under certain conditions. For this reason, this equipment should not be used in the vicinity of blasting caps or any area designated for blasting.

III. Specific Procedures

A. County-Issued Cell Phones

1. Phone Selection – Phones supported by Department of Technology Services (DTS) are the only options available for County-issued phones. Phone selection will be based on the service provider, availability, and cost at the time of issuance. Employees authorized to receive a phone will be issued the County standard phone unless a request is made to upgrade the phone.

Employees are authorized to upgrade their phone selection using the options supported through DTS. The upgrade will be based on the County standard phone line available at the time unless the employee's position provides for an alternate selection. The employee's cost of an upgraded phone will be determined by subtracting the cost of the County standard phone from the cost of the upgraded phone provided by DTS. Payment for an upgraded phone shall be made in advance of the phone request from DTS. This may be paid by submitting a check to the Fiscal Management Unit, payable to the Arlington County Treasurer.

An upgraded phone shall be classified as a Department issued phone. All Department issued phones and its data are the property of the County, until such time the Department no longer provides the monthly service.

Each phone will be capable of providing the end user with the necessary tools to perform the duties of their position.

A cell phone case, car charger, and wall charger will be included with a department issued cell phone. Cell phone life expectancy and replacement is scheduled at a minimum of 18 month intervals. Phone replacements required prior to 18 months will be reviewed on a case-by-case basis.

2. Phone Plans – current smartphone plan:
 - a. Unlimited talk time.
 - b. Unlimited word and photo texts.
 - c. Unlimited data transfer.
 - d. If you plan to travel abroad, international calling can be arranged by contacting the police department equipment manager or DTS two weeks prior to travel.
 - e. Calls to Directory Assistance are not covered by the plan and shall incur an overage fee.
 - f. Airplane Mode may be turned on to prevent the transmitting or receiving of calls and data. Wi-Fi connectivity will function in this mode and allow access to Internet service where available.

3. Replacing Phones - The department will not be responsible for replacing a lost, stolen or damaged upgraded phone outside of warranty. If a replacement is required, the department will issue the County standard phone issued by DTS. County staff will review the age of the lost, stolen, or damaged upgraded phone, and on a case-by-case basis, permit the employee to purchase another upgraded phone at their discretion.
4. Returning Phones – If an employee's position changes from an authorized cell phone holder, to a position where one is not authorized, the department issued cell phone will be returned to the Equipment Manager by the date your authorized position ends. Transferring cell phone data to a secured location and making the proper notifications to contacts is the employee's responsibility. If you need assistance, you may schedule an appointment with DTS. Please allow 3-5 working days to arrange an appointment.

Upon your transition, you may choose to purchase the phone at the current price established by DTS. The employee must assume responsibility for all costs associated with the phone by transferring service to a personal account. The department will not separate the phone and service if you desire to keep the phone number associated with the cell phone. This request shall be made within 10 days prior to your transition.

If an upgraded phone was purchased by the employee, upon a transition, the employee may maintain possession of the phone. The employee must assume responsibility for all costs associated with the phone by transferring service to a personal account. The phone number and service plan may also be cancelled together.

5. Employee Use of Cell Phones - Employees are permitted to use County-owned cell phones for personal and professional business while on-duty and off-duty. However, employees are financially responsible for charges incurred outside the County's phone plan. Employees with overage fees will receive a billing statement which may be paid by submitting a check payable to the Arlington County Treasurer.
6. Managerial Control - The Deputy Chief of Police for the Systems Management Division shall have managerial authority over the issuance and use of cell phones, and shall designate one employee from the Division to manage the program.
7. Lost or Stolen Device - If a County-owned cell phone is lost or stolen, the assigned employee shall immediately notify the telephone service provider. The employee shall notify a police supervisor immediately before or after the call to the service provider. If the employee is not in Arlington County, notification may be arranged by telephone through the ECC.

The supervisor shall ensure that a police report is written and submitted, either by the device's user or by another officer assigned to that task.

8. Cell Phone Use While Driving - The use of cell phones while driving shall be in accordance with [Virginia Code § 46.2-818.2](#).

B. Radio Communications

1. Emergency Use – Except in an emergency, an employee shall not transmit when advised by the dispatcher to “stand by,” or when any transmission would interfere with any communications already in progress.

When an employee is presented with a critical incident involving a serious threat of bodily harm or death and requires the dispatcher’s immediate attention, the word “priority” should be transmitted after their call sign.

The portable radio is equipped with a button which is capable of transmitting a message to the ECC indicating that the employee has an emergency.

Employees faced with a situation which is not an emergency as defined above but who need immediate access to the channel shall also use priority after their call sign.

2. Changing Channels – Employees switching from the primary assigned channel shall notify the dispatcher prior to the change, then monitor the new channel for radio transmissions prior to initiating any transmission.
3. Change of Status – An employee shall immediately advise the dispatcher by radio or MDT of any change in the employee’s status (i.e. available for call, enroute, arrival at a scene, traffic stop, etc.).

Any employee who clears a call for service should also indicate the disposition of the call or action taken on the call to the dispatcher.

4. Supervisor’s Responsibility – Except for situations described below, supervisory employees should monitor the primary assigned channel for employees under their supervision.

A supervisory employee should switch all involved units to another channel in order to permit normal operations to continue on the primary channel, in a tactical situation which has stabilized and where sufficient units are on scene to handle the incident.

A situation which is developing or changing in nature, such as a pursuit is usually kept on the channel it began on with non-involved units directed to another channel when needed for other assignments.

5. Call Priority – When an employee has been dispatched on a call, that call has priority and must be answered promptly. Non-hazardous traffic violations may have to be overlooked. In cases of an aggravated violation, the employee will have to use the employee’s own judgement. In any case where a situation arises which delays the prompt response to a call, the dispatcher must be notified immediately.

6. Equipment Malfunction – Employees experiencing a malfunction of their equipment shall report it to their supervisor who shall determine whether the equipment is malfunctioning and should be taken to the radio shop and/or reported to the appropriate unit.


Loss or theft of a portable radio should be reported to the on-duty ECC supervisor immediately so that the radio may be disabled.

7. Dead Spots – Employees discovering a geographic dead spot, an area where transmission is non-existent or weak, should report this information to the ECC, detailing the location and how it was determined that the radio would not receive or transmit communications.
8. Phonetic Alphabet – The phonetic alphabet is to be used in all radio transmissions and other official Police Department verbal communications to identify letters when spelling out words, names, or abbreviations not commonly understood. When commonly used abbreviations such as DMV or FBI are used, the phonetic references are not needed.

Letter	Word		Letter	Word
A	Alpha		N	November
B	Bravo		O	Oscar
C	Charlie		P	Papa
D	Delta		Q	Quebec
E	Echo		R	Romeo
F	Foxtrot		S	Sierra
G	Golf		T	Tango
H	Hotel		U	Uniform
I	India		V	Victor
J	Juliet		W	Whiskey
K	Kilo		X	X-ray
L	Lima		Y	Yankee
M	Mike		Z	Zulu



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 2, 2019	Amends/Supersedes: May 4, 2017 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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521.02 Metro SmarTrip Cards

I. Policy

ACPD officers are authorized to participate in the Washington Metropolitan Area Transit Authority (WMATA) Police SmarTrip program, subject to the provisions and restrictions cited in this directive and the Memorandum of Understanding between the ACPD and the Metro Transit Police Department.

II. Procedure

A. The Washington Metropolitan Area Transit Authority (WMATA) operates a Police SmarTrip card program which allows sworn Arlington officers to travel free of charge on the Metrorail and Metrobus system. The intention of the Police SmarTrip Program is to enhance police presence on the Metro system in order to create a safer environment for Metro passengers and employees. The Chief of the Metro Transit Police Department reserves the right to withdraw SmarTrip privileges when just cause exists to support a determination that an unauthorized use of a WMATA Police SmarTrip card has occurred.

1. Human Resources Management Section (HRMS) Responsibilities

- Administration, control, distribution and registration of all SmarTrip cards.
- Confirm that officers sign a SmarTrip agreement form; which will be kept on file in HRMS.
- Maintain a record of all issued, returned, stolen, damaged, or lost SmarTrip cards.
- Ensure all SmarTrip cards are returned to HRMS by officers upon separation from the department or loss of program eligibility.
- Report lost, stolen, or damaged cards to WMATA within two business days for cancellation by WMATA.
- When applicable, collect the appropriate fee related to the replacement cost of a lost, stolen, or damaged card. Replacement of a damaged, lost, or stolen SmarTrip card will be in accordance with existing WMATA policy.


2. Employee Responsibilities

- Sworn officers who desire to participate in the SmarTrip program will request a Police SmarTrip card from HRMS.

- b. Police SmarTrip cards are restricted to sworn police personnel only and are not transferable to another person.
 - c. The SmarTrip card will be used to board a Metrobus or when entering and exiting a Metrorail station.
 - d. Officers in uniform using their Police SmarTrip card will not be seated. Officers in plain clothes, regardless of duty status, will not occupy a seat if regular paying passengers are forced to stand.
 - e. A non-uniformed officer, regardless of duty status, will display their badge and credentials upon the request of a Metro Transit Police Officer, WMATA bus operator, or WMATA station manager.
 - f. WMATA parking facility fees are not included as part of the SmarTrip Program.
 - g. Officers shall return their issued SmarTrip card to HRMS upon resignation, retirement, or termination or when they are no longer eligible to participate in the program.
 - h. Officers must complete a case report if their WMATA Police SmarTrip card is lost or stolen. Additionally, they will notify HRMS as soon as possible so that the card can be cancelled.
 - i. Damaged SmarTrip cards must be returned to HRMS.
- B. Enforcement Action - The Arlington County Police Department shares enforcement authority with the Metro Transit Police Department (MTPD) on all Washington Metropolitan Area Transit Authority (WMATA) property within Arlington County. Accordingly, officers traveling upon the Metro system shall take appropriate police action in the same manner as would apply elsewhere in Arlington County. ACPD officers have no police authority on the Metrobus or Metrorail system outside the jurisdiction of Arlington County.
- 1. While traveling in uniform on Metrobus or Metrorail in Arlington County, uniformed officers shall take appropriate law enforcement action when they observe felonies, misdemeanors, and/or quality of life violations such as fare evasion, eating, drinking and smoking prohibitions.
 - 2. The decision to become involved in a police matter while not in uniform is at the officer's discretion. Factors to be considered are the nature of the incident, the potential risk to individuals, and the availability of uniformed officers. If a non-uniformed officer elects not to take enforcement action, he shall observe the incident, summon assistance, and aid responding officers as requested.
 - 3. Law enforcement action taken by non-uniformed officers will conform to the standards identified in Manual directive *521.01 Policing the Metro Rapid Rail Transit System* and *533.06 Recognition of Casual Clothes Personnel*.
 - 4. A sworn officer initiating any police action, including verbal warnings, will advise the Metro Transit Police Communications Division at (202) 962-2121 without delay. A ledger is maintained in the Transit Police Communications Division to log this activity.



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1. Human Resources Management Section (HRMS) Responsibilities

- Administration, control, distribution and registration of all SmarTrip cards.
- Confirm that officers sign a SmarTrip agreement form; which will be kept on file in HRMS.
- Maintain a record of all issued, returned, stolen, damaged, or lost SmarTrip cards.
- Ensure all SmarTrip cards are returned to HRMS by officers upon separation from the department or loss of program eligibility.
- Report lost, stolen, or damaged cards to WMATA within two business days for cancellation by WMATA.
- When applicable, collect the appropriate fee related to the replacement cost of a lost, stolen, or damaged card. Replacement of a damaged, lost, or stolen SmarTrip card will be in accordance with existing WMATA policy.


2. Employee Responsibilities

- Sworn officers who desire to participate in the SmarTrip program will request a Police SmarTrip card from HRMS.

- b. Police SmarTrip cards are restricted to sworn police personnel only and are not transferable to another person.
 - c. The SmarTrip card will be used to board a Metrobus or when entering and exiting a Metrorail station.
 - d. Officers in uniform using their Police SmarTrip card will not be seated. Officers in plain clothes, regardless of duty status, will not occupy a seat if regular paying passengers are forced to stand.
 - e. A non-uniformed officer, regardless of duty status, will display their badge and credentials upon the request of a Metro Transit Police Officer, WMATA bus operator, or WMATA station manager.
 - f. WMATA parking facility fees are not included as part of the SmarTrip Program.
 - g. Officers shall return their issued SmarTrip card to HRMS upon resignation, retirement, or termination or when they are no longer eligible to participate in the program.
 - h. Officers must complete a case report if their WMATA Police SmarTrip card is lost or stolen. Additionally, they will notify HRMS as soon as possible so that the card can be cancelled.
 - i. Damaged SmarTrip cards must be returned to HRMS.
- B. Enforcement Action - The Arlington County Police Department shares enforcement authority with the Metro Transit Police Department (MTPD) on all Washington Metropolitan Area Transit Authority (WMATA) property within Arlington County. Accordingly, officers traveling upon the Metro system shall take appropriate police action in the same manner as would apply elsewhere in Arlington County. ACPD officers have no police authority on the Metrobus or Metrorail system outside the jurisdiction of Arlington County.
- 1. While traveling in uniform on Metrobus or Metrorail in Arlington County, uniformed officers shall take appropriate law enforcement action when they observe felonies, misdemeanors, and/or quality of life violations such as fare evasion, eating, drinking and smoking prohibitions.
 - 2. The decision to become involved in a police matter while not in uniform is at the officer's discretion. Factors to be considered are the nature of the incident, the potential risk to individuals, and the availability of uniformed officers. If a non-uniformed officer elects not to take enforcement action, he shall observe the incident, summon assistance, and aid responding officers as requested.
 - 3. Law enforcement action taken by non-uniformed officers will conform to the standards identified in Manual directive *521.01 Policing the Metro Rapid Rail Transit System* and *533.06 Recognition of Casual Clothes Personnel*.
 - 4. A sworn officer initiating any police action, including verbal warnings, will advise the Metro Transit Police Communications Division at (202) 962-2121 without delay. A ledger is maintained in the Transit Police Communications Division to log this activity.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 12, 2019	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.02.02, OPR.02.03			

522.02 Case Management

I. Policy

A detective assigned as the lead investigator or the detective reviewing a case when the lead investigator is a patrol officer is responsible for overall case management.

II. Definition

Case Management – The maintenance of a case once it is merged into LERMS.

III. Procedure

A. Case Management Responsibilities

1. Case management is the responsibility of the detective assigned as the lead investigator or the detective reviewing a case when the lead investigator is a patrol officer. Patrol officers do not have case management rights. Detectives are required to ensure that:
 - a. Supplementary reports accurately document each investigative step.
 - b. All offenses committed are included in the LERMS case entry.
 - c. All involved persons are properly identified.
 - d. The value and recovery status of stolen property is documented.
 - e. Case status and case exceptional clearance are confirmed.

B. Reporting Stolen and/or Recovered Items

1. NCIC/VCIN Stolen Property Files - Identifiable stolen property is entered into the computerized NCIC/VCIN files.
 - a. Each entry into these systems must be completely documented in a related case report or case supplement.
 - b. The Virginia State Police (VSP) require that all VCIN entries must be active, accurate, and supported by records.
 - c. Property must be completely described including make, model, serial number, owner applied identification number, size, color or other unique identifiers.
 - d. Stolen property with a serial number should be matched-up with proper documentation (i.e., sales receipts, motor vehicle title, warranty receipts).

- e. Any additions, modifications or deletions of stolen/recovered items stemming from an investigation shall be reported in a case supplement.

C. Property Valuation - The following guidelines are provided for use in determining property values:

1. Use fair market value for articles which are subject to depreciation because of wear and tear, age, or other factors which cause the value to decrease with use.
2. Use cost to the merchant (wholesale cost) of goods stolen from retail establishments, warehouses, etc.
3. Use victim's evaluation of items such as jewelry, watches and other similar goods which decrease in value slightly or not at all with use or age.
4. Use replacement cost or actual cash cost to the victim for new or almost new clothes, auto accessories, bicycles, etc.
5. When the victim obviously exaggerates the value of stolen property for insurance or other purposes, common sense and good judgment will dictate a fair market value to be placed on the stolen items by the police. In most instances, the victim's evaluation can be accepted.
6. Monetary instruments such as traveler's checks, personal checks, money orders, etc., and/or stocks and bonds that have been assigned a face value, should be valued at that amount at the time of the theft.
7. Bonds payable to bearer, etc., should be valued at the current market value at the time of the theft. If no face value has been assigned, the theft is reported as a Petit Larceny.
8. Many times recovered property is in a condition different from what it was at the time of theft. The market value at the time of recovery should be used, even though it may be less than at the time it was stolen.

Note: Insurance Verification - The department provides prompt verification of property losses to insurance carriers as an important service to victims.

D. Wanted or Missing Persons - Wanted and missing persons will be entered into VCIN/NCIC in accordance with Manual directives *536.03 Warrants/Summons Service* and *522.08 Missing Person Report*.

E. Case Status, Disposition, Exceptional Clearance – The case status, disposition, and exceptional clearance fields must be accurately maintained as the case is investigated.

1. Case Status - The case status documents the current state of a case. It must be kept up-to-date as the investigation progresses. Case Status values are:
 - a. *Open* - A case that is open and being investigated.
 - b. *Cleared* - A case that has been closed by arrest, exceptional means, or where an investigator has determined that all offenses in the case are unfounded (i.e., all alleged crimes did not happen or did not happen in Arlington).


- c. *Inactive* – A case that has had all investigative leads exhausted and all victim contact completed and is no longer being actively worked.
 - d. *Detective Contact* - A case with limited investigative or prosecution potential that will likely result in a detective contacting the victim. When all work/contact is completed, the detective will change the status to Inactive.
 - e. *Admin Contact* - A case with limited investigative or prosecutorial potential that will result in an email or letter being sent to the victim by CIS administrative staff. When this is completed, the admin will change the status to Inactive.
2. Case disposition describes the manner in which a case is cleared and is ONLY to be used when case status is set to “Cleared.” If the case status is anything other than “Cleared”, case disposition should be blank. Case Disposition values are:
- a. *Cleared Arrest [Adult or Juvenile]* – A case is cleared by arrest when at least one person is arrested and charged with the commission of at least one offense listed in the case.
 - b. *Cleared Exceptional [Adult or Juvenile]* – A case is cleared exceptionally when some element beyond law enforcement control precludes a physical arrest. Before a case can be cleared exceptionally, all IBR requirements MUST be met (see Exceptional Clearance below).
 - c. *Cleared [Non-Criminal]* – A case is cleared non-criminal when there is no suspected criminal involvement from the beginning (e.g., natural death, ECO/TDO, missing person without abduction, etc.) and all follow-up work is completed.
 - d. *Unfounded* – A case is cleared unfounded when a crime was initially reported, but further investigation reveals that the offenses did not occur or did not occur in Arlington.
 - 1) If some of the reported offenses occurred and some did not, use the appropriate disposition for those offenses that did occur – **Do Not Use Unfounded.**
 - 2) Detailed instructions on how to perform the above LERMS actions are found in the [LERMS Case Management Cheat Sheet](#) on Inside the Blue.
3. Exceptional Clearance – A case is cleared exceptionally when some element beyond law enforcement control precludes a physical arrest. In order to clear a case exceptionally, each of the following four conditions MUST be met:
- a. The investigation must have clearly and definitely established the identity of at least one offender.
 - b. Sufficient evidence must have been developed to support the arrest, charging, and prosecution of the offender.
 - c. The exact location of the offender must be known.

- d. There must be a reason outside the control of law enforcement which prevents the arrest.
 - 1) If all of the above conditions have been met, one of the following Exceptional Clearance values must be used:
 - i. Death of the Offender (e.g., offender accidentally killed or dies of natural causes after warrant is obtained, suicide of the offender, double murder, deathbed confession, offender killed by police or citizen)
 - ii. Prosecution Declined (other than for lack of evidence, e.g., offense falls outside prosecution guidelines by virtue of value of loss, first-time offender, etc.)
 - iii. Extradition Denied/In Custody of Other Jurisdiction (offender in custody in another jurisdiction and an attempt is made to return the offender for prosecution, but the other jurisdiction will not allow the release)
 - iv. Victim Refuses to Cooperate (in the prosecution)
 - v. Juvenile/No Custody (the handling of a juvenile without taking him/her into custody but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense)
 - 2) Approval to clear a case exceptionally using the Prosecution Declined value has been granted for cases in which the above conditions are met and the following additional circumstances exist:
 - i. The total value of the item stolen or damaged is less than \$100 or the case involves bailment of automobiles or bad checks.
 - ii. The criminal record of the offender does not show a general pattern of criminal behavior or prior arrests for an offense similar to that under investigation.
 - iii. No personal injury to the victim, or threat thereof, is present.

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ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: April 12, 2019	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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5. When the victim obviously exaggerates the value of stolen property for insurance or other purposes, common sense and good judgment will dictate a fair market value to be placed on the stolen items by the police. In most instances, the victim's evaluation can be accepted.
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ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: 10/6/2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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522.04 Notification of Next of Kin

I. Policy

Each notification incident or situation must be reviewed independently to determine an appropriate police response. Law enforcement notifications often include notifying next of kin of the death or serious injury of a family member that may have resulted from a crime, an accident, a suicide, or other type of incident. The delivery of all notifications, especially death notifications, must be done with professionalism, dignity and compassion.

II. Procedure

A. Types of Notifications

1. Death notifications.

- An Operations Division supervisor shall be notified of any death or serious injury resulting from a criminal act or accident under investigation by a law enforcement agency and will be responsible ensure proper notification is made or attempted.
- Officers making death notifications should attempt to determine the age, medical condition or other pertinent information about the person to be contacted. Consideration should be given to the use of clergy or close friends when notifying relatives.
- All notifications should be in person unless this is not practical.

2. Serious injury or illness notification.

- Any officer assigned by an Operations Division supervisor to deliver notification associated with a serious illness will be responsible to ensure proper notification is made or attempted.
- All notifications should be in person unless this is not practical.

3. Law enforcement messages.

An officer should be dispatched for this type of notification when it is obvious that an in person response is appropriate, other means of message delivery have not been successful, or when directed by an Operations Division supervisor.

4. Checks on the welfare of individuals.


5. Attempts to locate for law enforcement purposes.

B. Review of Notification Messages

1. Emergency messages received by this department shall be reviewed by an Emergency Communications Center supervisor and all death notifications are to be brought to the attention of an on-duty Operations Division supervisor for assignment prior to any notification.
2. Should any question arise as to the legitimacy of the notification request or information to be conveyed in the notification, the receiving supervisors should clarify the matter and they shall have the final authority over such notification.
3. Any message received that is not delivered due to the fact that the notification is not a valid law enforcement mission or fails to meet the above criteria will be forwarded to the Deputy Chief of the Operations Division with a written explanation.



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Chapter: 5 Procedures	Effective Date: July 1, 2020	Amends/Supersedes: October 6, 2017 November 15, 2013 March 1, 2012 December 15, 2011 January 1, 2008 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.25.03, OPR.04.02, OPR.04.03, OPR.04.04, OPR.07.03			

522.05 Juvenile Offenders

I. Policy

All officers and other employees of this Department, who work with juveniles or juvenile records, shall be thoroughly familiar with the provisions of all state and local laws which relate to their duties.

The appropriate action to take regarding a juvenile offender should be based on the nature of the offense, whether the juvenile has engaged in a status offense, the age and circumstances of the juvenile, whether the juvenile has been harmed or is in danger of harm, the juvenile's record, the availability of rehabilitative programs, the willingness of the parents or legal guardian to cooperate with the police and the parent's or legal guardian's ability to exert control over the juvenile.

II. Code Requirements

- A. [Code of Virginia, Title 16.1. Courts Not Of Record, Chapter 11. Juvenile and Domestic Relations District Courts.](#)
- B. [Juvenile Justice and Delinquency Prevention \(JJDP\) Act of 2002.](#)

III. Definitions

- A. Non-offender – A juvenile under the jurisdiction of the court for reasons other than legally prohibited conduct (e.g. abuse, neglect).
- B. Status Offender – A juvenile who has committed a non-criminal act (e.g. truancy, runaway, underage use of alcohol) that is considered a violation of law only because of their status as minor but would not otherwise be a crime if committed by an adult.
- C. Delinquent Offender – A juvenile who has committed an offense that would be a crime if committed by an adult.
- D. Secure Detention – Detainment in a law enforcement facility holding cell, locked room, or when physically secured to a stationary object.
- E. Non-secure Custody – Detainment in a law enforcement facility in which a juvenile may be handcuffed to himself or a non-stationary object but may not be placed in a locked room or holding cell.

IV. Procedure

- A. Constitutional Rights – Juveniles have the same constitutional rights as adults. Before questioning a juvenile, officers should ensure that a juvenile understands his/her rights. Possible considerations that may factor into this decision are the maturity of the juvenile, any previous experience with the Juvenile and Domestic Relations Court, the nature of the crime, and the presence or absence of their parents or other responsible adult.

The officer should use the Advice on Constitutional Rights form to advise a juvenile arrestee of his/her rights. The officer should have a witness sign all forms, if possible. The witness should be a police officer. Whenever an advice or waiver form is completed, it should be attached to the arrest report. There is no need to give a copy to the arrestee.

- B. Detainment of Juveniles - Juveniles transported to the Criminal Investigations Section (CIS) for interviews, shall be separated from adult offenders.

1. Non-offender and status offender juveniles shall be held in non-secure custody.
2. Only delinquent offenders may be held in secure detention.
3. Officers placing a juvenile in secure detention shall complete the Department's **Secure Juvenile Holding Log** and make every reasonable effort to limit a delinquent offender's placement in secure detention to six hours, as required by the JJDP Act.
4. Additionally, officers shall follow the procedures for CIS interview rooms as outlined in Manual directive 536.05 *Arrestees*.

- C. Custodial Interrogation of a Juvenile

1. Prior to the custodial interrogation of a juvenile who has been arrested for a criminal violation, the child's parent, guardian, or legal custodian shall be notified and the juvenile shall have contact with his parent, guardian, or legal custodian. Such notification and contact may be in person, electronically, by telephone, or by video conference. The following exceptions are applicable:
 - a. The parent, guardian, or legal custodian is a codefendant in the alleged offense.
 - b. The parent, guardian, or legal custodian has been arrested for, has been charged with, or is being investigated for a crime against the child.
 - c. The parent, guardian, or legal custodian cannot reasonably be located or refuses contact with the child.
 - d. A public safety exception exists where the information being sought is limited to that necessary to protect life, limb, or property from imminent danger

D. Officer Discretion Regarding Juvenile Offenders

1. Non-Custodial Warning - The juvenile is advised to refrain from the offending activity and there is no further action.
2. Custodial Warning - The juvenile is detained and then released to the custody of a parent or legal guardian with a warning to the juvenile and an explanation to the parent or legal guardian.
3. Referral - An officer provides information and refers the juvenile to a program sponsored by this department, by the school administration, or by another agency of the county government.
4. Custody, Placing Charges and Referring to the Juvenile and Domestic Relations District Court - All matters alleged to be within the jurisdiction of this court shall be commenced by the filing of a petition, except as noted below. (Specific action is governed by [§16.1-247](#) of the Code of Virginia, depending upon why the juvenile is in custody and whether or not court is open).

E. Juvenile Petition Procedure

1. An arrest report must be completed at the time a juvenile is arrested or brought to the 8th floor for processing for all non-traffic crimes, even if a petition will be obtained later.
2. The arresting officer will complete a Petition Information & Detention Form and take it to the Office of the Commonwealth's Attorney during regular business hours, for review and to confirm charges. The case's prosecutorial merit will be indicated on a Commonwealth's Attorney Preliminary Investigation form, which is executed by an Assistant Commonwealth's Attorney. This form will then be attached to the Petition Information & Detention Form.
3. The officer will then submit the "Blue Copy" of the Petition Information & Detention Form to the patrol administrative assistant who will confirm entry of the arrest report into LERMS.
4. The officer will subsequently meet with a juvenile intake officer who will draft a final formal copy of a Petition Information & Detention Form. The officer will then swear to the accuracy of the information and will be given the yellow copy for their records. The juvenile intake officer will then file the petition form with the Clerk of the Juvenile and Domestic Relations District Court. The juvenile petition process must be completed within 10 business days of the offense, unless supervisor's approval has been obtained to extend the time period. This will assist the Forensic Identification Unit in complying with the destruction of juvenile fingerprint cards when a petition has not been secured, as required in [Virginia Code §16.1-299](#).

F. Virginia Uniform Summons – The filing of a petition shall not be necessary if a juvenile is released on a Virginia Uniform Summons by the arresting officer for violations of the following pursuant to [Virginia Code §16.1-260\(H\)](#). An arrest report must be completed at the time a juvenile is issued a summons for all non-traffic crimes.

1. Traffic Laws, etc. - In the case of violations of traffic laws, including offenses involving bicycles, hitchhiking and other pedestrian offenses, game and fish laws or violation of any ordinance establishing curfew violations or animal control violations. In such cases, the court may proceed on a summons issued by the officer investigating the violation in the same manner as provided by law for adults. Additionally, an officer investigating a motor vehicle accident may, at the scene of the accident or at any other location where a juvenile who is involved in such an accident may be located, proceed on a summons in lieu of filing a petition.
2. Bicycle Helmet Violations - [Arlington County Code §14.2-64](#) requires persons 14 years of age or younger to wear an approved protective helmet whenever riding or being carried on a bicycle on any highway, sidewalk, or public bicycle path. Violations should be cited by summons to the Juvenile and Domestic Relations District Court. Hearings for violations of the bicycle helmet law should be set according to schedules provided by the Juvenile Domestic Relations Court, which is the second Wednesday of each month at 3:00pm. The officer should not appear at these hearings unless subpoenaed by the court. A case report and arrest report are required, and the incident number must be placed in the upper right corner of the summons. Violators are to be advised that they must bring a parent or legal guardian to court.
3. Tobacco Violations - Violations of [§18.2-371.2 of the Code of Virginia](#), involving possession of tobacco by juveniles, should be cited by summons to the Juvenile and Domestic Relations District Court. Hearings for violations for possession of tobacco products should be set according to the schedule provided by the Juvenile Domestic Relations Court, which is the second Wednesday of each month at 3:00pm. The officer should not appear at these hearings unless subpoenaed by the court. A case report and arrest report are required, and the incident number must be placed in the upper right corner of the summons. Violators are to be advised that they must bring a parent or legal guardian to court.
4. Marijuana Violations - Violations of [§18.2-250.1 of the Code of Virginia](#), involving possession of misdemeanor amounts of marijuana by juveniles, provided the juvenile is released to the custody of a parent or legal guardian, an officer shall issue a summons to the juvenile and shall also issue a witness subpoena requiring the parent or legal guardian to appear before the court with the juvenile. At the issuance of the summons, the officer shall also serve upon the juvenile an alternative treatment information form, [DC-524 Notice of Right to Consideration of Diversion](#).

5. Certain Alcohol Violations - In the case of a violation of the [Code of Virginia §18.2-266](#), [§18.2-266.1](#) or [§29.1-738](#), or the commission of any other alcohol-related offense, provided the juvenile is released to the custody of a parent or legal guardian, an officer shall issue a summons to the juvenile and shall also issue a witness subpoena requiring the parent or legal guardian to appear before the court with the juvenile.
 6. Certain DUI Violations - If the juvenile so charged with a violation of the [Code of Virginia §18.2-266](#), [§18.2-266.1](#) or [§29.1-738](#) refuses to provide a sample of blood and/or breath for chemical analysis pursuant to [§18.2-268.1](#) through [18.2-268.12](#) or [§29.1-738.1](#), the provisions of these state code sections shall be followed except that the magistrate shall authorize execution of the warrant as a summons. The summons shall be served on the parent or legal guardian and the juvenile, and a copy shall be forwarded to the court in which the violation of [§18.2-266](#), [§18.2-266.1](#) or [§29.1-738](#) is to be tried.
 7. Littering - An officer shall issue a summons to a juvenile charged with littering in lieu of obtaining a petition.
 8. Class 3 and 4 Misdemeanors - In the case of offenses which, if committed by an adult would be punishable as a Class 3 or Class 4 misdemeanor, the court may direct that an intake officer proceed as provided in [§16.1-237 of the Code of Virginia](#) on a summons issued by the officer investigating the violation in the same manner as provided by law for adults, provided that notice of the summons to appear is mailed by the investigating officer within five days of the issuance of the summons to a parent or legal guardian of the juvenile.
- G. Advisory Hearing – If a juvenile is not detained, the advisory hearing should be set within three business days for the following misdemeanor charges:
- | | | |
|-------------------|-------------------------|-------------------------------------|
| • DWI | • Possession of Alcohol | • Driving with a Suspended License |
| • Drunk in Public | • Driving w/o a License | • Violation of Driving Restrictions |
| • Hit and Run | • Reckless Driving | • Learner's Permit Violation |
| • Marijuana | • Eluding Police | |
- ★ If a summons is issued for possession of marijuana or underage possession of alcohol and the matter is being referred to the intake unit for consideration of diversion, do not put a court date on the summons.
- H. Detention Placement
1. If the Juvenile and Domestic Relations District Court is not in session when placing a juvenile in detention, a pre-petition form must be completed, unless a detention order is already on file.
 2. If a juvenile is picked up on a detention order, the juvenile is to be fingerprinted and photographed for the originating charge prior to transport to the Detention Facility.

3. In the absence of an issued detention order, the officer must obtain authorization for detention from a juvenile court intake officer. An intake officer must complete a [Detention Assessment Instrument \(DAI\)](#) prior to authorizing secure detention. The Court Service Unit must follow the DAI's indicated decision or gain supervisory approval if an override is requested.
4. A petition must be obtained from the intake officer of the Juvenile and Domestic Relations District Court by 0900 hours on the next business day.
5. Upon completion of the steps described above, the juvenile is to be delivered to the designated facility without unnecessary delay.

I. Detention Order

1. A detention order shall **not** be issued for any juvenile, except when authorized by the judge or intake officer of a juvenile court or by a magistrate as provided in [§16.1-256 of the Code of Virginia](#). Section [16.1-256](#) authorizes a magistrate to issue a warrant when the court is not open or the judge and the intake officer are not reasonably available, meaning that neither the judge nor the intake officer could be reached or that neither could arrive within one hour of being contacted. Under these circumstances, a magistrate may also issue a detention order if the criteria for detention set forth in [§16.1-248.1](#) have been satisfied.
2. When court is not in session and a juvenile detention order is served, one executed copy of the order is to be delivered to the juvenile being arrested, one copy is to be delivered to the detention center where the juvenile will be detained, and one copy is to be given to the parent or legal guardian if they are readily available. All other executed copies of detention orders should be placed in the Court Services mailbox in order that the case can be placed on the court docket for the next business day. If court is in session, the juvenile and executed copies of the detention order are to be taken directly to court.

J. Fingerprinting and Photographing Requirements

1. Any juvenile taken into custody and charged with a delinquent act, which would be reported to Central Criminal Records Exchange (CCRE) if committed by an adult, shall be fingerprinted and photographed. This is to include offenses in which the juvenile is released to a parent or authorized adult.
2. Whenever fingerprints are taken, the Forensic Identification Unit shall forward one set of fingerprints to the J&DR Court, on forms provided by the CCRE.

3. The Crime Scene Unit shall be responsible for processing J&DR Court orders that require a juvenile to be photographed and fingerprinted.

Juvenile processing is not required for the following charges - Possession of marijuana (misdemeanor) if released on a summons at the scene; All alcohol charges (including DUI); Trespassing; Fare Evasion; Violation of court order; Probation Violations; Failure to appear; Fugitive from justice; CHINS violations; Traffic, bicycle and pedestrian offenses; Hitchhiking; Game and fish laws; Curfew violations; Animal Control Violations; Littering; Runaway charges; County ordinances; All offenses, which if committed by an adult, would be a class 3 or 4 misdemeanor.

K. Destruction of Fingerprints & Photographs

1. The Forensic Identification Unit shall destroy all juvenile fingerprints by shredding them. Photographs will be deleted from the digital file (case jacket).
2. The Forensic Identification Unit shall be responsible for the destruction all fingerprints and photographs within 60 days from the date they were taken if a petition or warrant is subsequently not filed in a case.
3. In cases where the Court notifies the Department to destroy fingerprints and photographs following a “not guilty” finding or similar judicial decision, the Forensic Identification Unit shall destroy such records within six months of the case disposition.
4. Officers shall not maintain copies of fingerprints in their possession. The only exception is when a juvenile signs a fingerprint form under a false name and is subsequently charged with forging a public document, these forms will be turned into property as evidence. In this case, the forms will be destroyed following evidence guidelines.

L. Juvenile Processing Procedure

1. The Juvenile Processing Room is located on the 8th floor. Once a juvenile is secure in this area, the officer may attend to paperwork and telephone calls, but shall remain in the vicinity and shall not leave the juvenile unattended. The CCRE form(s) and fingerprint/palm print cards will be placed in the secure lateral file cabinet in the Juvenile Processing Room. The key to this cabinet is kept at the CID reception desk and on the ground floor in the KeyWatcher system.
2. A Corporal or Master Police Officer shall be responsible for fingerprinting and photographing juveniles. Photographing a juvenile is done using the LERMS terminal located in the 8th Floor Juvenile Processing Room. All pertinent information must be filled out, using the LERMS, prior to photographing a juvenile. The procedure on how to photograph a juvenile using LERMS is located on the 8th floor in the Juvenile Processing Room.

3. The arresting officer is responsible for ensuring that all the forms are accurately completed. The arresting officer will leave the charge portion of the CCRE and fingerprint/palm print cards blank until a petition has been obtained. Once the petition(s) have been obtained, the arresting officer will then complete the charge section of the CCRE and fingerprint/palm print cards.
4. A fingerprint card and a palm print card will be completed for each arrestee on the standard fingerprint and palm print cards and retained for the department's files. One CCRE form, to include a complete set of fingerprints on the last page, needs to be completed for each charge.
5. The CCRE form(s) and fingerprint/palm print cards will be placed in the secure lateral file cabinet in the Juvenile Processing Room and the Juvenile Log will be completed, regardless of the time of day, to maintain the chain of custody. The Forensic Identification Unit will store the prints until a disposition has been obtained in the case. The Forensic Identification Unit will file the CCRE form(s) with the clerk of the Juvenile and Domestic Relations District Court when it has been verified that petitions have been obtained. Photographs will be stored in LERMS.
6. When releasing a juvenile, the parents or guardians must be escorted to the 8th floor by police personnel or the juvenile may be taken down to the lobby by the officer.

M. Juvenile Breath Test

1. Any juvenile arrested for DUI may be brought to the Arlington County Booking area for a breath test. The juvenile must be escorted into the Intoxilizer or breath testing room and shall be kept inside the room with an officer present at all times. Once the test has been administered and completed, the juvenile shall be taken from the booking area and escorted to the juvenile room in the department where the final paperwork and parental notification can be made.
2. Prior to entering booking, the officer must ensure that the deputies are advised that a juvenile is being taken in for a test. There shall be no other adult arrestee present or waiting for a DUI test in the room. The breath test of any adult arrestee who is waiting for testing should be completed and the adult placed in a holding cell, prior to the juvenile being admitted to the area. If another adult prisoner enters the booking area during a juvenile breath test, the prisoner shall be placed in a holding cell until the juvenile is escorted out of the booking area.


N. Non-Police Involvement in Juvenile Cases

1. If a juvenile is detained and then released by someone other than an officer, that person is responsible for obtaining a pre-petition from CIS. All petitions will be issued by the Juvenile and Domestic Relations District Court.

2. The Juvenile and Domestic Relations District Court will be responsible for preparing service of the petition for the juvenile's parents or legal guardian. A copy of the petition will be forwarded to CIS by the Juvenile and Domestic Relations District Court on cases in which the police were not originally involved.
 3. Personnel from the Forensic Identification Unit will periodically contact the clerk of the Juvenile and Domestic Relations District Court to determine the outcome of cases for which fingerprints were obtained.
- O. Disclosing Identifying Information Concerning Juveniles to School Officials - An officer may disclose, to school officials, identifying information concerning a juvenile who is suspected of committing or who has committed a delinquent act on school property during a school sponsored activity or on the way to and from such activity, if the disclosure is made solely for the purpose of enabling school personnel to take appropriate disciplinary action within the school setting against the juvenile. The Community Resources Section Commander is responsible for coordinating with School Resource Officers to disclose appropriate information to school officials.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 1, 2020	Amends/Supersedes: October 6, 2017 November 15, 2013 March 1, 2012 December 15, 2011 January 1, 2008 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.25.03, OPR.04.02, OPR.04.03, OPR.04.04, OPR.07.03			

522.05 Juvenile Offenders

I. Policy

All officers and other employees of this Department, who work with juveniles or juvenile records, shall be thoroughly familiar with the provisions of all state and local laws which relate to their duties.

The appropriate action to take regarding a juvenile offender should be based on the nature of the offense, whether the juvenile has engaged in a status offense, the age and circumstances of the juvenile, whether the juvenile has been harmed or is in danger of harm, the juvenile's record, the availability of rehabilitative programs, the willingness of the parents or legal guardian to cooperate with the police and the parent's or legal guardian's ability to exert control over the juvenile.

II. Code Requirements

- A. [Code of Virginia, Title 16.1. Courts Not Of Record, Chapter 11. Juvenile and Domestic Relations District Courts.](#)
- B. [Juvenile Justice and Delinquency Prevention \(JJDP\) Act of 2002.](#)

III. Definitions

- A. Non-offender – A juvenile under the jurisdiction of the court for reasons other than legally prohibited conduct (e.g. abuse, neglect).
- B. Status Offender – A juvenile who has committed a non-criminal act (e.g. truancy, runaway, underage use of alcohol) that is considered a violation of law only because of their status as minor but would not otherwise be a crime if committed by an adult.
- C. Delinquent Offender – A juvenile who has committed an offense that would be a crime if committed by an adult.
- D. Secure Detention – Detainment in a law enforcement facility holding cell, locked room, or when physically secured to a stationary object.
- E. Non-secure Custody – Detainment in a law enforcement facility in which a juvenile may be handcuffed to himself or a non-stationary object but may not be placed in a locked room or holding cell.

IV. Procedure

- A. Constitutional Rights – Juveniles have the same constitutional rights as adults. Before questioning a juvenile, officers should ensure that a juvenile understands his/her rights. Possible considerations that may factor into this decision are the maturity of the juvenile, any previous experience with the Juvenile and Domestic Relations Court, the nature of the crime, and the presence or absence of their parents or other responsible adult.

The officer should use the Advice on Constitutional Rights form to advise a juvenile arrestee of his/her rights. The officer should have a witness sign all forms, if possible. The witness should be a police officer. Whenever an advice or waiver form is completed, it should be attached to the arrest report. There is no need to give a copy to the arrestee.

- B. Detainment of Juveniles - Juveniles transported to the Criminal Investigations Section (CIS) for interviews, shall be separated from adult offenders.

1. Non-offender and status offender juveniles shall be held in non-secure custody.
2. Only delinquent offenders may be held in secure detention.
3. Officers placing a juvenile in secure detention shall complete the Department's **Secure Juvenile Holding Log** and make every reasonable effort to limit a delinquent offender's placement in secure detention to six hours, as required by the JJDP Act.
4. Additionally, officers shall follow the procedures for CIS interview rooms as outlined in Manual directive 536.05 *Arrestees*.

- C. Custodial Interrogation of a Juvenile

1. Prior to the custodial interrogation of a juvenile who has been arrested for a criminal violation, the child's parent, guardian, or legal custodian shall be notified and the juvenile shall have contact with his parent, guardian, or legal custodian. Such notification and contact may be in person, electronically, by telephone, or by video conference. The following exceptions are applicable:
 - a. The parent, guardian, or legal custodian is a codefendant in the alleged offense.
 - b. The parent, guardian, or legal custodian has been arrested for, has been charged with, or is being investigated for a crime against the child.
 - c. The parent, guardian, or legal custodian cannot reasonably be located or refuses contact with the child.
 - d. A public safety exception exists where the information being sought is limited to that necessary to protect life, limb, or property from imminent danger

D. Officer Discretion Regarding Juvenile Offenders

1. Non-Custodial Warning - The juvenile is advised to refrain from the offending activity and there is no further action.
2. Custodial Warning - The juvenile is detained and then released to the custody of a parent or legal guardian with a warning to the juvenile and an explanation to the parent or legal guardian.
3. Referral - An officer provides information and refers the juvenile to a program sponsored by this department, by the school administration, or by another agency of the county government.
4. Custody, Placing Charges and Referring to the Juvenile and Domestic Relations District Court - All matters alleged to be within the jurisdiction of this court shall be commenced by the filing of a petition, except as noted below. (Specific action is governed by [§16.1-247](#) of the Code of Virginia, depending upon why the juvenile is in custody and whether or not court is open).

E. Juvenile Petition Procedure

1. An arrest report must be completed at the time a juvenile is arrested or brought to the 8th floor for processing for all non-traffic crimes, even if a petition will be obtained later.
2. The arresting officer will complete a Petition Information & Detention Form and take it to the Office of the Commonwealth's Attorney during regular business hours, for review and to confirm charges. The case's prosecutorial merit will be indicated on a Commonwealth's Attorney Preliminary Investigation form, which is executed by an Assistant Commonwealth's Attorney. This form will then be attached to the Petition Information & Detention Form.
3. The officer will then submit the "Blue Copy" of the Petition Information & Detention Form to the patrol administrative assistant who will confirm entry of the arrest report into LERMS.
4. The officer will subsequently meet with a juvenile intake officer who will draft a final formal copy of a Petition Information & Detention Form. The officer will then swear to the accuracy of the information and will be given the yellow copy for their records. The juvenile intake officer will then file the petition form with the Clerk of the Juvenile and Domestic Relations District Court. The juvenile petition process must be completed within 10 business days of the offense, unless supervisor's approval has been obtained to extend the time period. This will assist the Forensic Identification Unit in complying with the destruction of juvenile fingerprint cards when a petition has not been secured, as required in [Virginia Code §16.1-299](#).

F. Virginia Uniform Summons – The filing of a petition shall not be necessary if a juvenile is released on a Virginia Uniform Summons by the arresting officer for violations of the following pursuant to [Virginia Code §16.1-260\(H\)](#). An arrest report must be completed at the time a juvenile is issued a summons for all non-traffic crimes.

1. Traffic Laws, etc. - In the case of violations of traffic laws, including offenses involving bicycles, hitchhiking and other pedestrian offenses, game and fish laws or violation of any ordinance establishing curfew violations or animal control violations. In such cases, the court may proceed on a summons issued by the officer investigating the violation in the same manner as provided by law for adults. Additionally, an officer investigating a motor vehicle accident may, at the scene of the accident or at any other location where a juvenile who is involved in such an accident may be located, proceed on a summons in lieu of filing a petition.
2. Bicycle Helmet Violations - [Arlington County Code §14.2-64](#) requires persons 14 years of age or younger to wear an approved protective helmet whenever riding or being carried on a bicycle on any highway, sidewalk, or public bicycle path. Violations should be cited by summons to the Juvenile and Domestic Relations District Court. Hearings for violations of the bicycle helmet law should be set according to schedules provided by the Juvenile Domestic Relations Court, which is the second Wednesday of each month at 3:00pm. The officer should not appear at these hearings unless subpoenaed by the court. A case report and arrest report are required, and the incident number must be placed in the upper right corner of the summons. Violators are to be advised that they must bring a parent or legal guardian to court.
3. Tobacco Violations - Violations of [§18.2-371.2 of the Code of Virginia](#), involving possession of tobacco by juveniles, should be cited by summons to the Juvenile and Domestic Relations District Court. Hearings for violations for possession of tobacco products should be set according to the schedule provided by the Juvenile Domestic Relations Court, which is the second Wednesday of each month at 3:00pm. The officer should not appear at these hearings unless subpoenaed by the court. A case report and arrest report are required, and the incident number must be placed in the upper right corner of the summons. Violators are to be advised that they must bring a parent or legal guardian to court.
4. Marijuana Violations - Violations of [§18.2-250.1 of the Code of Virginia](#), involving possession of misdemeanor amounts of marijuana by juveniles, provided the juvenile is released to the custody of a parent or legal guardian, an officer shall issue a summons to the juvenile and shall also issue a witness subpoena requiring the parent or legal guardian to appear before the court with the juvenile. At the issuance of the summons, the officer shall also serve upon the juvenile an alternative treatment information form, [DC-524 Notice of Right to Consideration of Diversion](#).

5. Certain Alcohol Violations - In the case of a violation of the [Code of Virginia §18.2-266](#), [§18.2-266.1](#) or [§29.1-738](#), or the commission of any other alcohol-related offense, provided the juvenile is released to the custody of a parent or legal guardian, an officer shall issue a summons to the juvenile and shall also issue a witness subpoena requiring the parent or legal guardian to appear before the court with the juvenile.
 6. Certain DUI Violations - If the juvenile so charged with a violation of the [Code of Virginia §18.2-266](#), [§18.2-266.1](#) or [§29.1-738](#) refuses to provide a sample of blood and/or breath for chemical analysis pursuant to [§18.2-268.1](#) through [18.2-268.12](#) or [§29.1-738.1](#), the provisions of these state code sections shall be followed except that the magistrate shall authorize execution of the warrant as a summons. The summons shall be served on the parent or legal guardian and the juvenile, and a copy shall be forwarded to the court in which the violation of [§18.2-266](#), [§18.2-266.1](#) or [§29.1-738](#) is to be tried.
 7. Littering - An officer shall issue a summons to a juvenile charged with littering in lieu of obtaining a petition.
 8. Class 3 and 4 Misdemeanors - In the case of offenses which, if committed by an adult would be punishable as a Class 3 or Class 4 misdemeanor, the court may direct that an intake officer proceed as provided in [§16.1-237 of the Code of Virginia](#) on a summons issued by the officer investigating the violation in the same manner as provided by law for adults, provided that notice of the summons to appear is mailed by the investigating officer within five days of the issuance of the summons to a parent or legal guardian of the juvenile.
- G. Advisory Hearing – If a juvenile is not detained, the advisory hearing should be set within three business days for the following misdemeanor charges:
- | | | |
|-------------------|-------------------------|-------------------------------------|
| • DWI | • Possession of Alcohol | • Driving with a Suspended License |
| • Drunk in Public | • Driving w/o a License | • Violation of Driving Restrictions |
| • Hit and Run | • Reckless Driving | • Learner's Permit Violation |
| • Marijuana | • Eluding Police | |
- ★ If a summons is issued for possession of marijuana or underage possession of alcohol and the matter is being referred to the intake unit for consideration of diversion, do not put a court date on the summons.
- H. Detention Placement
1. If the Juvenile and Domestic Relations District Court is not in session when placing a juvenile in detention, a pre-petition form must be completed, unless a detention order is already on file.
 2. If a juvenile is picked up on a detention order, the juvenile is to be fingerprinted and photographed for the originating charge prior to transport to the Detention Facility.

3. In the absence of an issued detention order, the officer must obtain authorization for detention from a juvenile court intake officer. An intake officer must complete a [Detention Assessment Instrument \(DAI\)](#) prior to authorizing secure detention. The Court Service Unit must follow the DAI's indicated decision or gain supervisory approval if an override is requested.
4. A petition must be obtained from the intake officer of the Juvenile and Domestic Relations District Court by 0900 hours on the next business day.
5. Upon completion of the steps described above, the juvenile is to be delivered to the designated facility without unnecessary delay.

I. Detention Order

1. A detention order shall **not** be issued for any juvenile, except when authorized by the judge or intake officer of a juvenile court or by a magistrate as provided in [§16.1-256 of the Code of Virginia](#). Section [16.1-256](#) authorizes a magistrate to issue a warrant when the court is not open or the judge and the intake officer are not reasonably available, meaning that neither the judge nor the intake officer could be reached or that neither could arrive within one hour of being contacted. Under these circumstances, a magistrate may also issue a detention order if the criteria for detention set forth in [§16.1-248.1](#) have been satisfied.
2. When court is not in session and a juvenile detention order is served, one executed copy of the order is to be delivered to the juvenile being arrested, one copy is to be delivered to the detention center where the juvenile will be detained, and one copy is to be given to the parent or legal guardian if they are readily available. All other executed copies of detention orders should be placed in the Court Services mailbox in order that the case can be placed on the court docket for the next business day. If court is in session, the juvenile and executed copies of the detention order are to be taken directly to court.

J. Fingerprinting and Photographing Requirements

1. Any juvenile taken into custody and charged with a delinquent act, which would be reported to Central Criminal Records Exchange (CCRE) if committed by an adult, shall be fingerprinted and photographed. This is to include offenses in which the juvenile is released to a parent or authorized adult.
2. Whenever fingerprints are taken, the Forensic Identification Unit shall forward one set of fingerprints to the J&DR Court, on forms provided by the CCRE.

3. The Crime Scene Unit shall be responsible for processing J&DR Court orders that require a juvenile to be photographed and fingerprinted.

Juvenile processing is not required for the following charges - Possession of marijuana (misdemeanor) if released on a summons at the scene; All alcohol charges (including DUI); Trespassing; Fare Evasion; Violation of court order; Probation Violations; Failure to appear; Fugitive from justice; CHINS violations; Traffic, bicycle and pedestrian offenses; Hitchhiking; Game and fish laws; Curfew violations; Animal Control Violations; Littering; Runaway charges; County ordinances; All offenses, which if committed by an adult, would be a class 3 or 4 misdemeanor.

K. Destruction of Fingerprints & Photographs

1. The Forensic Identification Unit shall destroy all juvenile fingerprints by shredding them. Photographs will be deleted from the digital file (case jacket).
2. The Forensic Identification Unit shall be responsible for the destruction all fingerprints and photographs within 60 days from the date they were taken if a petition or warrant is subsequently not filed in a case.
3. In cases where the Court notifies the Department to destroy fingerprints and photographs following a “not guilty” finding or similar judicial decision, the Forensic Identification Unit shall destroy such records within six months of the case disposition.
4. Officers shall not maintain copies of fingerprints in their possession. The only exception is when a juvenile signs a fingerprint form under a false name and is subsequently charged with forging a public document, these forms will be turned into property as evidence. In this case, the forms will be destroyed following evidence guidelines.

L. Juvenile Processing Procedure

1. The Juvenile Processing Room is located on the 8th floor. Once a juvenile is secure in this area, the officer may attend to paperwork and telephone calls, but shall remain in the vicinity and shall not leave the juvenile unattended. The CCRE form(s) and fingerprint/palm print cards will be placed in the secure lateral file cabinet in the Juvenile Processing Room. The key to this cabinet is kept at the CID reception desk and on the ground floor in the KeyWatcher system.
2. A Corporal or Master Police Officer shall be responsible for fingerprinting and photographing juveniles. Photographing a juvenile is done using the LERMS terminal located in the 8th Floor Juvenile Processing Room. All pertinent information must be filled out, using the LERMS, prior to photographing a juvenile. The procedure on how to photograph a juvenile using LERMS is located on the 8th floor in the Juvenile Processing Room.

3. The arresting officer is responsible for ensuring that all the forms are accurately completed. The arresting officer will leave the charge portion of the CCRE and fingerprint/palm print cards blank until a petition has been obtained. Once the petition(s) have been obtained, the arresting officer will then complete the charge section of the CCRE and fingerprint/palm print cards.
4. A fingerprint card and a palm print card will be completed for each arrestee on the standard fingerprint and palm print cards and retained for the department's files. One CCRE form, to include a complete set of fingerprints on the last page, needs to be completed for each charge.
5. The CCRE form(s) and fingerprint/palm print cards will be placed in the secure lateral file cabinet in the Juvenile Processing Room and the Juvenile Log will be completed, regardless of the time of day, to maintain the chain of custody. The Forensic Identification Unit will store the prints until a disposition has been obtained in the case. The Forensic Identification Unit will file the CCRE form(s) with the clerk of the Juvenile and Domestic Relations District Court when it has been verified that petitions have been obtained. Photographs will be stored in LERMS.
6. When releasing a juvenile, the parents or guardians must be escorted to the 8th floor by police personnel or the juvenile may be taken down to the lobby by the officer.

M. Juvenile Breath Test

1. Any juvenile arrested for DUI may be brought to the Arlington County Booking area for a breath test. The juvenile must be escorted into the Intoxilizer or breath testing room and shall be kept inside the room with an officer present at all times. Once the test has been administered and completed, the juvenile shall be taken from the booking area and escorted to the juvenile room in the department where the final paperwork and parental notification can be made.
2. Prior to entering booking, the officer must ensure that the deputies are advised that a juvenile is being taken in for a test. There shall be no other adult arrestee present or waiting for a DUI test in the room. The breath test of any adult arrestee who is waiting for testing should be completed and the adult placed in a holding cell, prior to the juvenile being admitted to the area. If another adult prisoner enters the booking area during a juvenile breath test, the prisoner shall be placed in a holding cell until the juvenile is escorted out of the booking area.


N. Non-Police Involvement in Juvenile Cases

1. If a juvenile is detained and then released by someone other than an officer, that person is responsible for obtaining a pre-petition from CIS. All petitions will be issued by the Juvenile and Domestic Relations District Court.

2. The Juvenile and Domestic Relations District Court will be responsible for preparing service of the petition for the juvenile's parents or legal guardian. A copy of the petition will be forwarded to CIS by the Juvenile and Domestic Relations District Court on cases in which the police were not originally involved.
 3. Personnel from the Forensic Identification Unit will periodically contact the clerk of the Juvenile and Domestic Relations District Court to determine the outcome of cases for which fingerprints were obtained.
- O. Disclosing Identifying Information Concerning Juveniles to School Officials - An officer may disclose, to school officials, identifying information concerning a juvenile who is suspected of committing or who has committed a delinquent act on school property during a school sponsored activity or on the way to and from such activity, if the disclosure is made solely for the purpose of enabling school personnel to take appropriate disciplinary action within the school setting against the juvenile. The Community Resources Section Commander is responsible for coordinating with School Resource Officers to disclose appropriate information to school officials.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: October 6, 2017	Amends/Supersedes: August 1, 2012 August 8, 2005 July 7, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.25.07			

522.08 Missing Person Report

I. Policy

A missing person report will be taken as soon as it is determined to be necessary; there is no waiting period before completing such report. No missing person report will be taken by telephone except as provided in this directive. (See Section III.A). Walk-in reports may be taken by sworn personnel assigned to the Customer Service Counter if staffing levels permit.

II. Definitions

- A. Arlington County Resident - An individual residing, or temporarily housed, in Arlington County.
- B. Metropolitan Area – In Virginia, the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park, and the counties of Arlington, Fairfax, Loudoun, and Prince William. In Maryland, all jurisdictions within the counties of Frederick, Montgomery, Prince George's, and Charles. The District of Columbia.
- C. Missing Person – Any missing person, adult or child, as defined in this section:
 - 1. Missing Adult – Any person 21 years of age or older, other than a Critically Missing Adult or Missing Senior Adult, whose disappearance or absence has caused someone to notify the Police Department but for whom there is no known credible threat to their health and safety. Missing Adults shall be documented as detailed in this Manual section, but do not meet the criteria for VCIN/NCIC entry.
 - 2. Critically Missing Adult – Any Missing Adult, other than a Missing Senior Adult, whose disappearance indicates a credible threat to the health and safety of the adult, as determined by a law-enforcement agency, and under such other circumstances as deemed appropriate after consideration of all known circumstances ([Code of Virginia §15.2-1718.2](#)). Critically Missing Adults must be reported to VSP and entered into VCIN/NCIC using the appropriate VSP form within two hours of being reported to ACPD.
 - 3. Missing Senior Adult – Any Missing Adult over 60 years of age who suffers a cognitive impairment to the extent that he is unable to provide care to himself without assistance from a caregiver, including a diagnosis of Alzheimer's Disease or dementia, and whose disappearance poses a credible threat as determined by a law-enforcement agency to the health

and safety of the adult and under such other circumstances as deemed appropriate by VSP ([Code of Virginia §52-34.4](#)). Missing Senior Adults must be reported to VSP and entered into VCIN/NCIC using the appropriate VSP form within two hours of being reported to ACPD.

4. Missing Child - Any person under 21 years of age whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, and who has been reported as missing to a law-enforcement agency within the Commonwealth ([Code of Virginia §52-32](#)). Missing Children must be reported to VSP and entered into VCIN/NCIC using the appropriate VSP form within two hours of being reported to ACPD.
- D. Non-resident - An individual residing, or temporarily housed, someplace other than in Arlington County.
- E. NCIC - [National Crime Information Center](#).
- F. VCIN - [Virginia Criminal Information Network](#).

III. Procedures - The procedures listed here are only those which are unique to missing persons or that need special attention. Unless otherwise noted, operational and investigative procedures as used in other incidents are applicable.

- A. A Missing Person report will be taken for:
 1. Any Arlington County resident who is reported missing in the Metropolitan Area.
 2. Any non-resident who is reported missing from Arlington County when the Missing Person's jurisdiction of residence will not take the report.
 3. If a resident of the Metropolitan Area other than Arlington County is reported as a Missing Person from Arlington County, the Missing Person's jurisdiction of residence will be contacted to determine if that jurisdiction will complete the report. If so, the complainant will be referred to that jurisdiction. If not, this department will complete the report.
 4. If a child who is committed to a shelter care facility outside of Arlington under the purview of an Arlington court leaves that facility without authority, the responsibility for a Missing Child report and follow-up investigation is with this department. The report for a child missing under these circumstances may be taken over the telephone.
 5. A Missing Person report may be taken over the telephone if the complainant lives outside the Metropolitan Area.
 6. If there is any doubt as to who should take a Missing Person report, this department will take it.
 7. If the Missing Person is a participant in the Project Lifesaver program, that program's [Standard Operating Procedure](#) shall be followed.

B. Reporting Requirements

1. A Missing Person shall be documented in a case report. Missing Persons who are believed to be together may be documented in one case report.
2. For a Missing Child, a [Virginia Missing Children Information Clearinghouse Report \(SP-183\)](#), including the affidavit (Part III), must be completed and faxed or emailed to the Virginia State Police (VSP) by the officer taking the report, within 2 hours of the child being reported missing. A copy of the SP-183 shall also be submitted with the case report.
3. For a Critically Missing Adult or a Missing Senior Adult, a [Virginia Missing Person Information Clearinghouse Report \(SP-67\)](#), including the affidavit (Part III), must be completed and faxed or emailed, by the officer taking the report, to the VSP within 2 hours of the person being reported missing. A copy of the SP-67 shall be submitted with the case report.
4. A recent image of the Missing Person should be obtained, if available, and submitted to the VSP and with the case report.
5. For a Missing Child, Critically Missing Adult, or Missing Senior Adult, a copy of the SP-183 or SP-67 shall be submitted to the Teletype operator in the Emergency Communications Center (ECC) for entry into NCIC and VCIN. ECC maintains copies of these forms (SP-67 or SP-183) for entry documentation.
6. The reporting officer shall note in the case report narrative that the subject was entered into VCIN/NCIC and that the appropriate VSP form, if applicable, was completed and submitted.

C. Affidavit for Missing Person - A Missing Person cannot be entered into VCIN/NCIC unless there is a completed affidavit (Part III of the SP-183 or SP-67).

1. The only affidavit that may be used is the one included in the VSP form (Part III of the SP-183 or SP-67).
2. The affidavit is to be signed by the reporting party, parent, guardian, legal custodian, or other person standing in loco parentis of the child.
3. For a Missing Adult, if the reporting party is unavailable to sign the affidavit, a supervisor may sign.
4. For a Missing Child affidavit, every effort should be made to obtain the signature of the parent, guardian, legal custodian, or other person standing in loco parentis of the child. If this is unattainable within 2 hours of the child being reported missing, a supervisor may sign the affidavit.

D. Taking a Child into Custody - The [Code of Virginia §16.1-246](#) outlines when and how a child may be taken into custody and [§16.1-247](#) lists the duties of the person who is taking a child into custody.

- E. Found Missing Adult - There is no authority for detaining an adult who is safe and of sound mind, who has not committed a crime, and who presents no danger to themselves or others. The following steps shall be taken when a Missing Adult is located:
1. The person will be told a Missing Adult report was made and who the reporting party was.
 2. The reporting party will be notified that the Missing Adult has been found and was told of the report.
 3. A located Missing Adult reported by this department shall be documented in a supplement to the original case report.
 4. If entered by this department, a Missing Person will be cleared from VCIN/NCIC. It is the responsibility of the officer documenting the located Missing Adult to ensure this is done. This action shall be documented in the narrative of the case supplement.
 5. When a Missing Person has been located, a teletype message indicating the person has been located will be sent to jurisdictions that received the initial Missing Person teletype.
 6. Additional information given to the reporting party will be at the discretion of the officer or a supervisor, depending upon the person's age, location where found, and the circumstances.
- F. Virginia Amber Alert Plan Activation - Activation of the [Virginia Amber Alert Plan](#) will be initiated through the Virginia State Police, only after consultation with and at the direction of the Special Victims Unit (SVU) supervisor and must meet the following criteria:
1. The abducted child must be 17 years of age or younger or currently enrolled in a secondary school in the Commonwealth, regardless of age, and the law enforcement agency believes the child has been abducted (unwillingly taken from his/her environment without permission from the child's parent or legal guardian).
 2. The law enforcement agency believes the abducted child is in imminent danger of serious bodily harm or death.
 3. A law enforcement investigation has taken place that verified the abduction and/or eliminated alternative explanations.
 4. Sufficient information is available to disseminate to the public that could assist in locating the child, suspect, and/or the suspect's vehicle.
 5. The child must be entered into VCIN/NCIC missing person files.
- If all of the aforementioned criteria are not met, the Virginia Amber Alert Plan will not be activated. However, the Endangered Missing Child Media Alert, a viable alternative for those incidents that do not meet all the criteria for an Amber Alert, may be used.


Agencies wishing to utilize the Endangered Missing Child Media Alert will be required to follow the same protocols as an Amber Alert for submission of information. When an incident is not authorized for an Amber Alert activation, the requesting agency will be informed that the VSP may issue an Endangered Missing Child Media Alert.

- G. Virginia Senior Alert Plan Activation – The Virginia State Police administer the [Virginia Senior Alert Plan](#). The Virginia Senior Alert Plan may be activated for any Missing Senior Adult, only after consultation with and at the direction of the Special Victims Unit (SVU) supervisor and must meet the following criteria:
1. A law enforcement investigation has taken place that verified the Missing Senior Adult and eliminated alternative explanations by a thorough search of the immediate area if vehicular travel is not involved as a mode of travel for the adult.
 2. Sufficient information regarding the missing senior adult is available to disseminate to the public that could assist in locating the Missing Senior Adult or his/her vehicle.
 3. The Missing Senior Adult must be entered into VCIN/NCIC and an SP-67 submitted to VSP with a photograph.

If all of the aforementioned criteria are not met, the Virginia Senior Alert Plan will not be activated. However, information can still be provided to the media by the department.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: October 6, 2017	Amends/Supersedes: August 1, 2012 August 8, 2005 July 7, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.25.07			

522.08 Missing Person Report

I. Policy

A missing person report will be taken as soon as it is determined to be necessary; there is no waiting period before completing such report. No missing person report will be taken by telephone except as provided in this directive. (See Section III.A). Walk-in reports may be taken by sworn personnel assigned to the Customer Service Counter if staffing levels permit.

II. Definitions

- A. Arlington County Resident - An individual residing, or temporarily housed, in Arlington County.
- B. Metropolitan Area – In Virginia, the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park, and the counties of Arlington, Fairfax, Loudoun, and Prince William. In Maryland, all jurisdictions within the counties of Frederick, Montgomery, Prince George's, and Charles. The District of Columbia.
- C. Missing Person – Any missing person, adult or child, as defined in this section:
 - 1. Missing Adult – Any person 21 years of age or older, other than a Critically Missing Adult or Missing Senior Adult, whose disappearance or absence has caused someone to notify the Police Department but for whom there is no known credible threat to their health and safety. Missing Adults shall be documented as detailed in this Manual section, but do not meet the criteria for VCIN/NCIC entry.
 - 2. Critically Missing Adult – Any Missing Adult, other than a Missing Senior Adult, whose disappearance indicates a credible threat to the health and safety of the adult, as determined by a law-enforcement agency, and under such other circumstances as deemed appropriate after consideration of all known circumstances ([Code of Virginia §15.2-1718.2](#)). Critically Missing Adults must be reported to VSP and entered into VCIN/NCIC using the appropriate VSP form within two hours of being reported to ACPD.
 - 3. Missing Senior Adult – Any Missing Adult over 60 years of age who suffers a cognitive impairment to the extent that he is unable to provide care to himself without assistance from a caregiver, including a diagnosis of Alzheimer's Disease or dementia, and whose disappearance poses a credible threat as determined by a law-enforcement agency to the health

and safety of the adult and under such other circumstances as deemed appropriate by VSP ([Code of Virginia §52-34.4](#)). Missing Senior Adults must be reported to VSP and entered into VCIN/NCIC using the appropriate VSP form within two hours of being reported to ACPD.

4. Missing Child - Any person under 21 years of age whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, and who has been reported as missing to a law-enforcement agency within the Commonwealth ([Code of Virginia §52-32](#)). Missing Children must be reported to VSP and entered into VCIN/NCIC using the appropriate VSP form within two hours of being reported to ACPD.
- D. Non-resident - An individual residing, or temporarily housed, someplace other than in Arlington County.
- E. NCIC - [National Crime Information Center](#).
- F. VCIN - [Virginia Criminal Information Network](#).

III. Procedures - The procedures listed here are only those which are unique to missing persons or that need special attention. Unless otherwise noted, operational and investigative procedures as used in other incidents are applicable.

- A. A Missing Person report will be taken for:
 1. Any Arlington County resident who is reported missing in the Metropolitan Area.
 2. Any non-resident who is reported missing from Arlington County when the Missing Person's jurisdiction of residence will not take the report.
 3. If a resident of the Metropolitan Area other than Arlington County is reported as a Missing Person from Arlington County, the Missing Person's jurisdiction of residence will be contacted to determine if that jurisdiction will complete the report. If so, the complainant will be referred to that jurisdiction. If not, this department will complete the report.
 4. If a child who is committed to a shelter care facility outside of Arlington under the purview of an Arlington court leaves that facility without authority, the responsibility for a Missing Child report and follow-up investigation is with this department. The report for a child missing under these circumstances may be taken over the telephone.
 5. A Missing Person report may be taken over the telephone if the complainant lives outside the Metropolitan Area.
 6. If there is any doubt as to who should take a Missing Person report, this department will take it.
 7. If the Missing Person is a participant in the Project Lifesaver program, that program's [Standard Operating Procedure](#) shall be followed.

B. Reporting Requirements

1. A Missing Person shall be documented in a case report. Missing Persons who are believed to be together may be documented in one case report.
2. For a Missing Child, a [Virginia Missing Children Information Clearinghouse Report \(SP-183\)](#), including the affidavit (Part III), must be completed and faxed or emailed to the Virginia State Police (VSP) by the officer taking the report, within 2 hours of the child being reported missing. A copy of the SP-183 shall also be submitted with the case report.
3. For a Critically Missing Adult or a Missing Senior Adult, a [Virginia Missing Person Information Clearinghouse Report \(SP-67\)](#), including the affidavit (Part III), must be completed and faxed or emailed, by the officer taking the report, to the VSP within 2 hours of the person being reported missing. A copy of the SP-67 shall be submitted with the case report.
4. A recent image of the Missing Person should be obtained, if available, and submitted to the VSP and with the case report.
5. For a Missing Child, Critically Missing Adult, or Missing Senior Adult, a copy of the SP-183 or SP-67 shall be submitted to the Teletype operator in the Emergency Communications Center (ECC) for entry into NCIC and VCIN. ECC maintains copies of these forms (SP-67 or SP-183) for entry documentation.
6. The reporting officer shall note in the case report narrative that the subject was entered into VCIN/NCIC and that the appropriate VSP form, if applicable, was completed and submitted.

C. Affidavit for Missing Person - A Missing Person cannot be entered into VCIN/NCIC unless there is a completed affidavit (Part III of the SP-183 or SP-67).

1. The only affidavit that may be used is the one included in the VSP form (Part III of the SP-183 or SP-67).
2. The affidavit is to be signed by the reporting party, parent, guardian, legal custodian, or other person standing in loco parentis of the child.
3. For a Missing Adult, if the reporting party is unavailable to sign the affidavit, a supervisor may sign.
4. For a Missing Child affidavit, every effort should be made to obtain the signature of the parent, guardian, legal custodian, or other person standing in loco parentis of the child. If this is unattainable within 2 hours of the child being reported missing, a supervisor may sign the affidavit.

D. Taking a Child into Custody - The [Code of Virginia §16.1-246](#) outlines when and how a child may be taken into custody and [§16.1-247](#) lists the duties of the person who is taking a child into custody.

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 2. The reporting party will be notified that the Missing Adult has been found and was told of the report.
 3. A located Missing Adult reported by this department shall be documented in a supplement to the original case report.
 4. If entered by this department, a Missing Person will be cleared from VCIN/NCIC. It is the responsibility of the officer documenting the located Missing Adult to ensure this is done. This action shall be documented in the narrative of the case supplement.
 5. When a Missing Person has been located, a teletype message indicating the person has been located will be sent to jurisdictions that received the initial Missing Person teletype.
 6. Additional information given to the reporting party will be at the discretion of the officer or a supervisor, depending upon the person's age, location where found, and the circumstances.
- F. Virginia Amber Alert Plan Activation - Activation of the [Virginia Amber Alert Plan](#) will be initiated through the Virginia State Police, only after consultation with and at the direction of the Special Victims Unit (SVU) supervisor and must meet the following criteria:
1. The abducted child must be 17 years of age or younger or currently enrolled in a secondary school in the Commonwealth, regardless of age, and the law enforcement agency believes the child has been abducted (unwillingly taken from his/her environment without permission from the child's parent or legal guardian).
 2. The law enforcement agency believes the abducted child is in imminent danger of serious bodily harm or death.
 3. A law enforcement investigation has taken place that verified the abduction and/or eliminated alternative explanations.
 4. Sufficient information is available to disseminate to the public that could assist in locating the child, suspect, and/or the suspect's vehicle.
 5. The child must be entered into VCIN/NCIC missing person files.
- If all of the aforementioned criteria are not met, the Virginia Amber Alert Plan will not be activated. However, the Endangered Missing Child Media Alert, a viable alternative for those incidents that do not meet all the criteria for an Amber Alert, may be used.


Agencies wishing to utilize the Endangered Missing Child Media Alert will be required to follow the same protocols as an Amber Alert for submission of information. When an incident is not authorized for an Amber Alert activation, the requesting agency will be informed that the VSP may issue an Endangered Missing Child Media Alert.

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1. A law enforcement investigation has taken place that verified the Missing Senior Adult and eliminated alternative explanations by a thorough search of the immediate area if vehicular travel is not involved as a mode of travel for the adult.
 2. Sufficient information regarding the missing senior adult is available to disseminate to the public that could assist in locating the Missing Senior Adult or his/her vehicle.
 3. The Missing Senior Adult must be entered into VCIN/NCIC and an SP-67 submitted to VSP with a photograph.

If all of the aforementioned criteria are not met, the Virginia Senior Alert Plan will not be activated. However, information can still be provided to the media by the department.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 13, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.22.01, OPR.01.07			

522.09 Police Activity Reports

I. Policy

A variety of informational reports that cover a broad range of activities are available to employees and the public and are intended to provide a means for building awareness of current activities throughout the department and in the community. Reports that contain sensitive law enforcement information will only be distributed to authorized subscribers on a need to know basis.

II. Procedure


A. Published Informational Reports

1. Watch Commander Report – At the end of each shift and on a daily basis the outgoing watch commander will complete a *Watch Commander Report (WCR)*, which consists of significant activities that occurred during their tour of duty; providing information to oncoming shifts of the previous shifts' activities. The WCR is distributed via e-mail to the Division and District Commanders, the Media Relations and Public Affairs Office, and all interested personnel. A Watch Commander Report will contain the following information:
 - a. The squad and the number of personnel working the shift by rank.
 - b. The number of K-9's working during the shift.
 - c. Significant activities.
 - d. Information of note.
 - e. TDO transports out of the County.
 - f. Number called in sick.
 - g. Number called back for overtime.
 - h. Identification of the on-coming or Relief Watch Commander.
2. ACPD Information Sheet - Contains a wide variety of information of interest to department employees regarding promotions, special events, training opportunities, patrol draft, etc., and is published by the department weekly. Items for inclusion in the ACPD Information Sheet may be sent to acpdmedia@arlingtonva.us and run for three issues unless otherwise requested.

3. Public Information – The Media Relations and Public Affairs Office provides public safety news releases, police news, and crime report information to the community via the online [Newsroom](#). The police department also uses social media tools such as Facebook, Twitter, and Nextdoor to share important information with the community and to encourage collaboration.
 4. ACPD Weekly Report – Published by the Crime Analysis Unit this report provides summary data on criminal offenses and highlights selected crimes.
 5. Field Investigations Report – A weekly summary of all Field Investigations (FI) published by the Crime Analysis Unit.
 6. Criminal Investigations Section Weekly Report – At the end of each week the CIS commander publishes a weekly report of significant cases under investigation along with case updates. Included in this report is a year-to-date death investigations table, significant activity involving various CIS units, and other administrative facts and figures. The CIS Weekly Report is distributed via e-mail to the Criminal Investigations Division Commander, and CID section commanders.
 7. ACPD DEU/VICE Weekly Report – Published by the Organized Crime Section this report contains information related to OCS generated cases, case summaries, and miscellaneous unit level activities.
 8. Criminal Investigations Section Significant Reports – This report is published each weekday and contains summaries of selected case reports along with case status that may be of interest to CID personnel.
 9. Incident Command System (ICS) After Action Report (AAR) – The final ICS commander is responsible for providing after action documentation related to critical incidents, planned events, or exercises, where ICS was activated. An AAR is used to evaluate the overall performance and effectiveness of the response, and serves to highlight opportunities for improvement. Copies of ICS AAR are forwarded to the Chief of Police, all Deputy Chiefs, the Office of Professional Responsibility, and the Media Relations and Public Affairs Office. Reports will be archived in the L: directory in the ACPD Supervisors ► After Action Reports folder.
 10. Significant Activity Report – An ad hoc report, created at the discretion of a division or section commander, concerning an incident or activity that may, or may not impact, or has already impacted the County or the department. The distribution of these reports is at the discretion of the author.
- B. Distribution of Reports – Access and distribution of reports identified in this directive may be limited to employees with a need to know. Information contained in police activity reports are created for distribution to department employees and is considered law enforcement sensitive, any dissemination outside of the ACPD requires the approval of the Chief of Police or a Deputy Chief of Police. Information regarding significant activities may be based on preliminary findings and is subject to change upon further investigation.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 13, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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 - a. The squad and the number of personnel working the shift by rank.
 - b. The number of K-9's working during the shift.
 - c. Significant activities.
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 - e. TDO transports out of the County.
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ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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523.02 Ride Along Program

I. Policy

The department's ride-along program is intended to facilitate and generate community support for law enforcement by providing individuals with a better understanding of the challenges, hazards and rewards that police officers routinely encounter on the job.

II. Procedure

A. Eligibility - In order to participate in the ride-along program, an individual must be at least 18 years old, and meet one or more of the following criteria.

1. Live or work in Arlington County.
2. Student of law enforcement or criminal justice.
3. Member of the military.
4. Arlington County Police or Auxiliary applicant.
5. Arlington County employee.
6. A member of a federal, state, or local law enforcement agency.
7. A relative or friend of an officer in this department.
8. A visiting guest of this department.

B. General Requirements

1. A ride-along participant is ordinarily assigned to a patrol officer in the Operations Division, but upon request may be permitted to ride with another division.
2. Participation is limited to one (4) hour ride-along every 12 months, ride-alongs will not be scheduled on Fridays or Saturdays, and no more than two ride-alongs will be scheduled during any shift. Exceptions may be granted by the watch commander, division commander, or Chief of Police at the time of a ride-along and may be contingent on circumstances that include, but are not limited to, department policy, availability of officers, call volume, nature of calls for police assistance, and any dangers to the officer or citizen resulting from the ride-along.
3. Participants must be appropriately dressed in businesslike attire or neat casual attire. Acceptable dress for men include a suit, sports coat and slacks or a collared shirt and slacks. Women may wear the preceding, a dress, or a pant suit. Jeans, shorts, shirts without collars, and tennis shoes are not permitted.

4. All participants will conduct themselves in a responsible manner during the ride-along.
5. Cell phone use by civilian ride-alongs is prohibited except in an emergency situation.
6. Cameras and tape recorders are not permitted unless prior approval is granted.
7. Participants will be required to comply with all lawful requests made by a supervisor or officer of this department.
8. Participants must abide by all the requirements outlined in this procedure.
9. Other than sworn law enforcement officers with federal or state criminal jurisdiction throughout the Commonwealth of Virginia or in Arlington County no participant is permitted to carry any kind of weapon.

C. Ride Along Application

A fillable [Ride Along Application](#) is available at the department's website and must be filled out entirely and submitted via email or U.S. Mail to the Operations Division administrative assistant for processing. The Ride-Along Application must be approved by the affected division commander prior to participation in the program. Exceptions to this requirement may be granted, at the discretion of the Chief of Police, the division commander under whom the ride-along will occur, the watch commander, or in accordance with section II.E.5. of this procedure. The rejection of a ride-along application will be documented in a memorandum and forwarded to the Office of the Chief.

D. Administrative Assistant Responsibilities

1. The Operations Administrative Assistant will ensure that all ride along applications are routed to the appropriate division administrative assistant for processing as follows:
 - a. Review the Ride-Along Application and ensure it is filled out completely.
 - b. Conduct a criminal records check and forward the completed ride-along cover sheet and Ride-Along Application to the respective division commander for review.
 - c. Upon approval by the division commander, schedule the ride along using the [Unified Ride-Along Calendar](#) located in "Inside The Blue" on AC Commons.
 - d. Notify the respective watch commander or section commander and the applicant of the date and time at least 24-hours prior to the scheduled ride-along.

E. Supervisor's Responsibilities

1. A police supervisor should advise the officer of the assigned ride-along at the earliest opportunity.
2. Operations Division ride-alongs should be assigned to marked patrol units whenever possible.

3. A police supervisor should perform their duties in the same manner as if the ride-along were not present.
4. A police supervisor has the authority to terminate a ride-along or reassign the participant to another unit for any of the following reasons:
 - a. The participant's conduct or attire is not in the best interest of the department.
 - b. Depending on immediate circumstances, the ride-along would be exposed to imminent danger, or hamper or endanger the officer in the performance of their duty.

The supervisor exercising the authority to terminate a ride-along for cause will document the circumstances and notify the Office of the Chief, the affected division commander and their administrative assistant, via memorandum as soon as possible.

5. A police supervisor may approve a ride-along without prior application approval. This authority shall apply only to unforeseen situations in which a law enforcement objective may be advanced. A Ride-Along Application form and Liability Waiver Form must be completed prior to commencement of the ride-along.

F. Officer Responsibilities


1. The officer will have the participant sign a [Liability Waiver Form](#) prior to commencement of the ride-along. This document will be witnessed, and attested to, by two police officers. The completed waiver is to be forwarded to the appropriate division's administrative assistant.
2. The officer is responsible for the safety of the citizen participant, and should not intentionally involve the citizen in a dangerous situation. The officer should perform routine duties as if the citizen were not present.
3. It is discretionary as to whether the participant should or should not accompany the officer into a citizen's home. Good judgment should be exercised in cases where the officer knows or suspects a call may be volatile or inherently dangerous (e.g., a domestic or family dispute).
4. An officer may direct the ride-along to remain inside the police vehicle at any time during the ride-along.
5. An officer may drop off their ride-along at a safe location when responding to an obviously dangerous call (e.g., an active shooter, pursuit, etc.). The ride-along should be advised that another police officer will be requested to pick them up and either continue the ride-along or transport them back to the police station.
6. An officer may request that a supervisor terminate a ride-along if the participant hampers, interferes or otherwise hinders their performance and efficiency.

G. Special Conditions or Exceptions

This procedure does not apply to law enforcement officers who are engaging in an official law enforcement function that requires them to be accompanied by an Arlington County Police Officer.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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523.03 Vehicle Lockouts

I. Policy

Police department employees will assist citizens in gaining access to a locked vehicle (i.e., windows, doors or any other areas) under the following circumstances:


- A medical emergency.
- A child locked inside.
- An animal locked inside.
- An emergency as determined by an officer on-scene.
- Upon authorization by a supervisor.

II. Procedures

- A. Other than in an emergency, calls received by the Emergency Communications Center requesting police assistance with a vehicle lockout should be referred to a commercial business that offers this service.
- B. If there is any uncertainty about the need to send a police officer to a vehicle lockout, an officer should be dispatched.
- C. Upon arrival at the scene an officer shall determine whether the lockout falls within one of the circumstances outlined in this policy and take appropriate action.
- D. Other than in an emergency, proper identification should be required first, prior to an officer making entry into a vehicle in order to ensure that the requesting party has the right to gain entry to the vehicle.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: October 6, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.22.01			

523.05 Emergency Subscriber Listings

I. Policy

Messages sent out to the community via the Emergency Subscriber Listing (ESL) system is intended to inform the public and community businesses of events or situations that directly affect the lives and safety of citizens in the community.

II. Definitions

- A. Emergency Subscriber Listing – A community notification system managed by the Office of Emergency Management (OEM) that automatically distributes public safety messages through a multi-modal approach (cell phone, e-mail, landline phones, etc.) to specific geographic areas.
- B. Integrated Public Alert and Warning System (IPAWS) - A national alert and warning system used to warn the public about serious emergencies. IPAWS is managed by FEMA, but can be utilized via the Everbridge Alerting System by the on duty OEM Watch Officer.

III. Procedures

A. Use of ESL

- 1. Informing a community of "need to know" police-related information. (e.g., specific crime activity, missing person information, etc.).
- 2. Seeking information from the community regarding a specific crime or crimes (e.g., witness information, soliciting the "eyes and ears" of the community, etc.).
- 3. Informing the community of police activity in the community.
- 4. Notification of community organizations within a community of planned police department meetings in the community.
- 5. Other appropriate topics approved in advance by the Chief of Police.


B. ESL Guidelines

- 1. Compose the message to be sent using a ESL System Message Form. All messages should be as brief as practical.
 - a. The introduction to a message pertaining to a community meeting should begin with: "This is (rank, name, etc.) of the Arlington County Police Department with a message to the community", followed by the text of the message.

- b. All messages should include the telephone number and area code of the sender or a number specific to a Division, District, Section or Unit of the Department where the citizen can provide and/or request information.
- c. Determine the geographic area and/or telephone list to receive the message. Messages can be sent to residential and/or business telephone numbers. These can include all telephones at a specific address such as a condominium or office building, and pre-defined lists created by the police department of civic associations, categories of businesses (i.e., all banks, convenience stores, auto body shops, hotels/motels, etc.). The sender should specify which or both since sending to both increases calling time considerably.
- d. When communicating information about criminal activity, only confirmed suspect descriptions should be included.
- e. Obtain supervisory approval of the message content and distribution via the chain of command through the Division Commander level with each supervisor indicating their approval by signature and date.
- f. When approved, the message should be brought to the ECC Shift Supervisor. Using the ESL Users guide, the OEM Watch Officer will work with the person that composed the message to enter the geographic area and/or the pre-established telephone list(s) to which the message is to be sent and the text of the message. The officer will record the telephone message and the ECC Shift Supervisor will send the message.
- g. All messages sent should be sent again to the pre-defined Media List. This list contains telephone numbers of news media that have requested to be made aware of messages sent.
- h. Ensure that any callback telephone number provided is staffed during a reasonable period, by time of day, day of week and duration. Citizens calling in information should not be answered by a voice mail greeting unless the greeting is tailored to receive citizen calls in response to a specific message. If a voice mail box is used to receive citizen responses, the sender of the message is responsible for ensuring that the voice mailbox is checked a minimum of four (4) times a day, including weekends and holidays, for the duration of the callback period. This is because voice mailboxes have a maximum storage capacity of twenty (20) messages.
- i. A copy of all messages sent will be provided to the Office of the Chief of Police, the Media Relations and Public Affairs Office, all Divisions, Districts, Sections and Units of the Department, the OEM Watch Desk, and ECC. This will allow for the above to be aware that an ESL message has been sent out to the community.
- j. If a resolution has been achieved (e.g. arrest of a suspect), consideration should be given to sending a follow up message to the recipients of the original message advising them in general terms of the outcome and expressing the Department's appreciation for the community's assistance.



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523.07 Communicating with Deaf, Hearing, and Visually Impaired Persons

I. Policy

In order to communicate effectively and provide both accessible and timely access to public safety services both sworn and civilian personnel will take all reasonable steps to accommodate victims, witnesses, and suspects that are deaf, hearing and/or visually impaired.

II. Definitions

- A. **Qualified Interpreter** - One who is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary. Depending on the complexity of an investigation an interpreter may need to be certified as having met certain levels of competency.
- B. **Telecommunications Relay Service** - A telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. There are several forms of TRS, depending on the particular needs of the user and the equipment available.

III. Code Requirements

- A. **28 CFR 35 – Non-Discrimination on the Basis of Disability in State and Local Government Services**

IV. Procedure


- A. **Communicative Needs** – Upon encountering a hearing impaired person needing police services, an employee should attempt to identify the type of hearing assistance necessary to establish effective and convenient communication.
 - 1. In most cases this can be accomplished by a direct inquiry with the hearing-impaired person by any means immediately available to an employee such as hand gestures, texting, and written messages. Department employees who possess sign language skills may also be used.
 - a. In an emergency involving an imminent threat to the safety or welfare of an individual or the public, an adult or minor child accompanying a person who uses sign language may be relied upon to interpret or facilitate communication.
 - b. In situations not involving an imminent threat, sign language interpretation by an adult companion of the hearing-impaired person is permissible, but only when appropriate under the circumstances and the need for privacy or confidentiality will not be compromised. (see IV. B.)

- c. In circumstances where additional interpretation resources are required for effective communication the officer should contact the ECC for assistance.
2. A sign language interpreter is not required for an officer to make an arrest of a hearing impaired or deaf subject where probable cause is established independent of interrogating the subject.
3. When probable cause to make an arrest must be established through questioning or interrogation of a deaf or severely hearing-impaired person, the employee shall request a sign language interpreter through ECC and subsequently notify their supervisor of the request.
 - a. The Advice on Constitutional Rights should be communicated to the arrestee using the department's printed form and be signed by the defendant even when there is no qualified interpreter immediately available. However, some deaf persons have very limited English language skills, and will require an interpreter to ensure comprehension of their rights. Under Federal law a deaf defendant must be informed that the department will provide a qualified interpreter who will be present during all questioning at no cost to them.
 - b. The County maintains a list of vendors, on [AC Commons](#), that provide sign language interpretation services that are generally reserved for use in serious and complex criminal cases that require certified interpreters and/or interpreters who specialize in foreign signed languages or have a technical knowledge of law enforcement.
 - c. All interpreters shall be listed as witnesses in the case report or case supplement; their business address and phone number may be used rather than a home address and phone.
 - d. A digital video recording all communications with deaf defendants is appropriate in order to be able to substantiate the effectiveness of the communication and the quality of the interpretation.
 - e. Victims and complainants should also be provided with interpretation services.
4. Telecommunication Device for the Deaf (TDD), Text Telephone (TTY), and Relay Services - The acronyms TDD and TTY are interchangeable, and refer to a single, common device that enables users to communicate through standard telephone lines using typed messages rather than voice. The ECC has the capability of receiving or sending TDD/TTY calls. Additionally, the County's ADA Coordinator maintains an assistive listening device for individuals who have severe hearing impairment which is available for loan. (see FCC Consumer Guide – Telecommunications Relay Service.) Employees must provide telephone access to a hearing-impaired person in any situation where such access would be provided to a person with normal hearing. This includes, but is not limited to, criminal suspects.

- B. Confidentiality - Employees who assist or arrest hearing-impaired persons shall consider privacy and confidentiality needs when assessing whether auxiliary hearing assistance is needed.
1. Depending upon the desires of the hearing-impaired person, it may be necessary to request a contract interpreter rather than utilizing a relative or friend. For example, a rape victim who is accompanied by a relative or friend with sign language skills may not be comfortable answering certain questions in the presence of that relative or friend.
 2. It is inappropriate in most circumstances for police to serve as a relay between a hearing-impaired criminal suspect and that suspect's lawyer or parent, etc. Accordingly, officers should not make such calls on a hearing-impaired suspect's behalf, but instead shall provide the suspect with access to a TTY/TDD telephone.
 3. Employees should not observe written messages that are typed or received by a hearing-impaired person using TTY/TDD telephones unless the employee is a legitimate party to the call. As a general rule, employees shall accord hearing-impaired persons the same level of privacy and confidentiality that would be accorded to a person with normal hearing who was making a similar call.
 4. Employees shall ensure that written messages they exchange with hearing-impaired persons are protected from viewing by unauthorized persons. Potentially sensitive messages should be handled in the same manner as any other confidential documents.
- C. Communicating with Blind or Visually-Impaired Persons – Upon encountering a blind or visually-impaired person needing or requesting for police services, an employee should identify themselves to the person. Any directions or instruction, including any information that is posted visually, should be stated clearly and completely to the person. Officers shall read out loud and in full any documents that the person needs to sign. The County Manager's Office of Human Rights, EEO and ADA has the capability to produce alternative communications formats such as documents in large print or in Braille (see AC Commons ADA – Accommodations.)
- D. Training - The Training & Career Development Unit shall ensure that all recruit officers receive training on communication with deaf and hearing-impaired persons. Where possible, this training should be provided by the County's ADA Coordinator or an advocacy or service agency from the hearing-impaired community. The unit shall also ensure that refresher roll-call training regarding this topic is administered to officers periodically.



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530.02 Reward Money

I. Policy


A case offering reward money to the public will only be considered in serious criminal cases where all possible investigative leads have been exhausted.

II. Procedure

- A. Incident Criteria - The crime must be of a very serious nature and the investigator must have exhausted all possible leads in the case.
- B. Reward Money - A reward offered by the department for information leading to the arrest and conviction of a suspect(s), which should not exceed \$500.00, and must be approved by the Chief of Police.
- C. Selection Process - Prior to seeking reward money the lead detective will review the case with their unit supervisor. If the supervisor determines that a reward is likely to encourage somebody with information to come forward then the detective seeking reward money will submit a written memo, along with a copy of their case report, via their chain of command, to the Chief of Police. The memo will contain an explanation of the rationale for offering the reward money and its correlation to the amount of the money requested. The Chief of Police will determine whether or not the reward funds will be authorized.
- D. Reward Posters – CID shall be responsible for the creation of reward posters and their distribution. Reward posters shall include the following:
 - Award dollar amount approved by the Chief of Police.
 - That reward money will be paid for information leading to the arrest and conviction of a party or parties who have committed the crime.
 - A picture of the suspect or suspects, if available.
 - Information concerning the crime.
- E. Payment of Rewards - Rewards will only be paid out when verifiable information is received that leads to the arrest and conviction of the suspect(s) for whom the reward money is offered. Only a Division Commander or the Chief of Police may authorize payment of a reward to an informant.



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530.04 Identification of Habitual Criminals

I. Policy

To increase investigation and prosecution efforts in selected crimes where an arrest has been made and the arrestee has been identified as a habitual criminal as defined by the established criteria.

II. Definitions

A. Habitual criminal - an arrestee meeting any of the following criteria:

1. The present offense is one of the following: abduction, burglary, malicious wounding, murder, rape or robbery.
2. The arrestee has two prior felony convictions arising from separate incidents.
3. The arrestee has one prior felony conviction and the present offense was committed while on bail, parole or probation.
4. The arrestee has one prior felony and two or more pending felony charges arising from separate incidents.
5. The arrestee's manner of making a living indicates a habitual criminal status.


III. Procedure

The arresting officer or investigator has the primary responsibility for identifying an arrestee as a habitual criminal. Once an arrestee has been identified as a habitual criminal, detailed information should be presented to the Commonwealth Attorney's Office as soon as possible so that special prosecutorial attention can be brought to bear during bond motions, plea bargaining and sentencing.

Officers and investigators should refer to the Code of Virginia in cases of Domestic Assault ([§18.2-57.2](#)), Weapons Possession ([§18.2-308](#)), Stalking ([§18.2-60.3](#)) and Larceny ([§18.2-104](#)), as provisions are made for placing more serious charges against repeat offenders.



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530.05 Victim Witness Program

I. Policy

Officers will refer victims and witnesses to the Victim Witness Program administered by the Office of the Commonwealth's Attorney to ensure that their rights under the Crime Victim and Witness Rights Act are preserved and they receive fair and compassionate treatment throughout the judicial process.

II. Definition

- A. Victim - For purposes of this directive, "victim" is defined as a person who has suffered physical, psychological or economic harm as a direct result of the commission of a felony, or from an assault and battery, stalking, sexual battery, attempted sexual battery, maiming or injury resulting from an accident caused by a person driving while intoxicated; a spouse or child of such person; the parent or legal guardian of such a person who is a minor; a spouse, parent or legal guardian of such a person who is physically or mentally incapacitated or was the victim of a homicide. However, "victim" does not include a parent, child, spouse or legal guardian who commits a felony or other enumerated criminal offense against a victim as defined above.

III. Code Requirements

- A. [Constitution of Virginia - Article I. Bill of Rights. Section 8-A. Rights of victims of crime](#)
- B. [Code of Virginia - Title 19.2. Criminal Procedure, Chapter 1.1. Crime Victim and Witness Rights Act, §§ 19.2-11.01. through 19.2-11.4.](#)

IV. Procedure

- A. The Commonwealth's Attorney's Office Victim Witness Program in coordination with the police department ensures that the rights of victims, as established in the Virginia Crime Victim and Witness Rights Act, are protected in order to encourage active victim participation in the criminal justice process. The Arlington Victim Witness Program provides the following services:
1. The Victim Witness Program will attempt to contact all crime victims as defined in [Virginia Code § 19.2-11.01](#) to inform them of their rights and the range of services available to them.
 2. The Victim Witness Program staff will provide the police department staff with any and all information necessary to assist in criminal investigation.

3. The Victim Witness Program will inform victims of the right to confidentiality as granted in [Virginia Code § 19.2-11.2](#). If requested, program staff will assist the victim in filing form [DC-301, Request for Confidentiality](#), with the appropriate Clerk's Office.
4. The Victim Witness Program will provide information to the victim regarding the arrest and custody status of the defendant, upon request.
5. The Victim/Witness Program will provide information to the victim regarding the status of the court case.
6. Victim Witness Program staff may accompany the victim to court. Victims will be advised of the right to be present in court during all proceedings in accordance with [Virginia Code § 19.2-265.01](#).
7. The Victim Witness Program will advise victims of certain sexual offenses of the right to a closed preliminary hearing pursuant to [Virginia Code § 18.2-67.8](#).
8. The Victim Witness Program will advise juvenile sexual assault victims of the possibility that a two-way closed circuit television may be used in taking testimony in accordance with [Virginia Code § 18.2-67.9](#).
9. The Victim Witness Program will provide information to victims about protective orders as appropriate.
10. The Victim Witness Program will assist victims in requesting notification of a defendant's release from incarceration from the Arlington County Detention Facility and/or the Virginia Department of Corrections.
11. The Victim Witness Program staff will provide victims' rights and victim assistance training to new police recruits as requested.

B. Assistance to Crime Victims and Witnesses


1. During the preliminary investigation officers should provide their business card to all victims and witnesses of a crime. The card should include the case report number and a telephone number where they can report additional information or inquire about the case status. When appropriate, officers should inform a victim or witness of victim advocacy programs such as the Office of the Commonwealth's Attorney's Victim Witness Program; the Department of Human Services, Doorways for Women and Families and advise on actions they may take if a suspect were to threaten or intimidate them.

Additionally, Virginia Code [§ 19.2-11.01](#) requires law-enforcement personnel to provide certain crime victims, as defined in section II. of this procedure, with a standardized form listing the specific rights afforded to crime victims along with a telephone number by which the victim can receive further information in securing their rights. The department provides officers with Crime Victim and Witness Rights sheets for this purpose. When such reports are received through the Telephone Reporting Office, by e-mail or by any means other than direct officer contact a victim/witness will be offered a Crime Victim and Witness Rights sheet that will be sent to them by the officer receiving the initial report.

2. The follow-up officer or detective will make a good faith effort to comply with the procedures listed below while also recognizing that the underlying dynamics of an incident can and do vary substantially from case to case:
 - a. Re-contact the victim/witness periodically to determine whether needs are being met where the impact of a crime has been unusually severe and has already triggered a referral to an assistance agency.
 - b. Explain the procedures and practices involved in prosecuting the case, including the role of the officer and victim/witness; so long as such information does not endanger successful prosecution.
 - c. Schedule line-ups, interviews and other required visits at the convenience of the victim/witness.
 - d. Provide advance notification, as early as possible, of judicial proceedings relating to the cases, such as rescheduling, status, and disposition.
 - e. Assist in providing transportation to court, interviews, lineups, etc., when necessary.
 - f. Protect the confidentiality of victims/witnesses in accordance with department policy when dealing with the media.
 - g. Provide assistance to victim/witness who has been threatened or intimidated.
 - h. Expedite the return of property taken as evidence, unless the property is needed for trial (contraband, disputed property, weapons used in a crime, etc., are not included). The disposition of all property should be recorded in the final supplemental report.
 - i. Refer victims and witnesses to the Office of the Commonwealth's Attorney Victim Witness Program.
 - j. When possible the arresting officer or case detective should notify the victim/witness of the arrest, charges and custody status of an offender when such information would be important and the victim/witness would not likely find out through an independent source.



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530.06 Eyewitness Identification and Photo Lineups

I. Policy

All lineups or showups conducted by the department in the course of an investigation must minimize suggestiveness and maximize reliability in order to avoid eyewitness misidentification of a suspect.

II. Definitions

- A. Sequential Photo Lineup - The presentation of one photo or suspect at a time to a witness rather than the simultaneous presentation of photographs or suspects.
- B. Showup – A viewing of a suspect, by a victim or witness, in the field soon after a crime is committed.

III. Code Requirement

[Code of Virginia § 19.2-390.02](#). Policies and procedures for law enforcement to conduct in-person and photo lineups.

IV. Procedure

A. Interviewing the Witness

A witness should be interviewed prior to conducting a photo lineup, live lineup, or show up in order to gather and assess the following information:

1. Did the witness have a good opportunity to see the suspect before, during, or after the crime?
2. Can the witness provide a detailed description of the suspect?
3. Was the attention of the witness directed at the suspect during the crime?
4. Was the witness's initial description of the suspect accurate?
5. Is the witness acquainted with the suspect or have they seen them before?

B. Composing the Lineup

In composing the photo or live lineup, the person administering the identification procedure should ensure that the lineup is comprised in such a manner that the suspect does not unduly stand out. However, complete uniformity of features is not required.

1. At a minimum, a photo lineup totaling six (6) photos will be utilized; five (5) fillers (non-suspects) will be used per one (1) suspect. Only one suspect will be included in each identification array.
2. Select fillers (non-suspects) who generally resemble the suspect in significant features. If multiple photos of the suspect are available, select a photo that most closely resembles the suspect's description or appearance at the time of the incident with consideration given to the age of the photograph. The identity of each subject shown in an array or live line up must be documented.
3. All photos in a single presentation will be either all color or all black and white.
4. The reproduced photos will be of the same size and none must unduly stand-out from the others.
5. When the photos are selected, ensure each is reproduced without any identifying text.
6. If it is necessary to cover or block-out any text or other features shown on a photo, similar markings must be placed on all photos for uniformity.
7. If the victim/witness is required to view more than one presentation for cases involving multiple offenders, different fillers will be used for each presentation. Additionally, if a photo array is to be shown to more than one witness, the officer/detective should move the suspect's position in the array after each viewing.
8. Photo arrays are considered evidence, so the photo array presented should be preserved according to departmental policy.
9. Assign each photo an identification number and record the number on the back of each photograph. During the lineup procedure, the photos/persons should be shown in the same numerical sequence as the identification numbers. Should more than one photo array be utilized in an investigation each subsequent array will be identified as Array #2, Array #3, etc.

C. Instructing the Witness Prior to Viewing the Lineup

The identification procedure should be conducted in a manner that promotes the accuracy, reliability, fairness and objectivity of the witness identification. These steps are designed to ensure the accuracy of identification or non-identification decisions. When presenting the lineup, the officer shall read to the witness the advisory on [Sequential Lineup Worksheet/Advisory form](#), which includes the below instructions:

1. Instruct the witness that he/she will be asked to view a set of photographs.
2. Instruct the witness that it is just as important to clear an innocent person(s) from suspicion as to identify guilty parties.
3. Instruct the witness that individuals depicted in the lineup photographs may not appear exactly as they did on the date of the incident because features such as head and facial hair and clothing are subject to change.

4. Instruct the witness that the person who committed the crime may or may not be in the set of photographs being presented and therefore, they should not feel compelled to make identification.
5. Assure the witness that regardless of whether identification is made, the police will continue to investigate the incident.

D. Photo Presentation Procedure

1. Provide viewing instructions to the witness by reading the [Sequential Lineup Worksheet/Advisory form](#).
2. Utilizing an officer or detective unfamiliar with the case or suspect to present the lineup is preferred and may remove a layer of suggestiveness, however this is not required. Additionally, the officer presenting the lineup may elect to stand behind or beside the victim/witness as the photos are being presented to avoid any non-verbal cues, but this is also not required if impracticable.
3. The investigating officer presenting the array will present the photos without any identifying text.
4. Only one victim/witness will be allowed to view the presentation at a time. In cases where another person must be present (parents of a young child, medical staff, etc.), they will be cautioned to avoid making any statements or otherwise unduly influencing the procedure. They should also be situated in a manner in which they cannot view the photos.
5. Throughout the presentation process, the detectives or officers assigned will not make any comments that would unduly influence the decision of the victim/witness in making identification.
6. Only one photo at a time will be provided to the victim/witness. This will allow the victim/witness to evaluate the photo based on their memory of the incident, rather than comparing it with the photos of the other subjects.
7. The victim/witness can take as much time as necessary to view the photo and will be responsible for indicating when he/she is ready to see the next image.
8. Before presenting the next photo, the previous photo will be removed from view.
9. All images will be shown, even if the victim/witness identifies the suspect in one of the previously presented photos.
10. At no time will more than one image be visible to the victim/witness.
11. In cases where a victim/witness wishes to see any or all of the photos again, they will again be presented one at a time.
12. If identification is made, the investigating officer assigned will not make any statement as to the possible involvement of the subject in the offense.

E. Documentation of the Identification Process

When conducting an identification procedure, the person administering the lineup shall preserve the outcome of the procedure by documenting any identification or non-identification in a supplemental report. When documenting the identification procedure, the person administering the lineup should:

1. Document in writing the photo lineup procedures, including:
 - Identification information.
 - Photos used.
 - Names of all persons present at the lineup.
 - Date and time of the process.
2. Record both identification and non-identification results on the lineup sheet using the witness' own words regarding how certain he/she is about the identification. The level of confidence or other relevant observations regarding the witness' statement should also be documented.
3. Ensure that the results are signed and dated by the witness and the person administering the lineup.
4. If a detective/officer is preparing a live body lineup, this will also be accomplished using the sequential presentation process utilizing the above guidelines and in consultation with the Commonwealth's Attorney's Office.
5. When practicable video or audio record the process.

F. Conducting Show-Ups

A show-up is a procedure conducted when a suspect is stopped a distance from the crime scene and a witness is transported to that location to view the person in an effort to establish probable cause for an arrest. The show up is an essential procedure to develop what is initially an investigative stop into probable cause when the person who is stopped reasonably matches the description provided by the victim/witness and is in close proximity in time and distance to the occurrence of the offense and the offense location.

When circumstances require the prompt display of a suspect to a witness, the inherent suggestiveness of the encounter can be minimized through the use of some procedural safeguards. The officer shall employ the following procedures to avoid influencing victims/witnesses:


1. Interview victims/witnesses prior to conducting a show up to obtain a complete description of the offender(s).
2. Transport the victim/witness by police vehicle to the location where the suspect is detained.
3. Caution the witness that the person(s) he or she is about to look at may or may not be the offender.
4. Be mindful about showing the suspect in handcuffs or surrounded by too many officers. Officer safety concerns are paramount and will be the guiding concern regarding handcuffs and the number of officers with the suspect.

5. If more than one suspect is going to be involved in the show up, only one suspect will be presented to the victim/witness at a time.
6. Record all identifications and non-identifications in a supplemental report using the witness' own words regarding how certain he/she is about the identification.
7. Record witness' name, suspect's name and descriptive information and the date, time and location of the show-up. Additional information such as distance, weather, lighting, or if the suspect was asked to remove an article of clothing should also be recorded in the supplemental report.
8. Photograph the suspect at the time and place of the show-up to preserve a record of the suspect's appearance at the time of the show-up.
9. Officers shall not say anything to the witness which may influence the witness' identification or non-identification.
10. When multiple witnesses are involved:
 - a. Separate the witnesses and instruct them to avoid discussing the details of the incident with others.
 - b. Each witness should be transported separately to the location of the show-up.
 - c. When feasible, officers should use the in-car camera recording system to document the witness' statements during show-ups.

This policy does not affect the viewing of multiple mug shots in this department's or another agency's records when the suspect is not known by police. Equally, this policy does not limit the use of school yearbooks when attempting to identify a suspect.



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531.01 Preliminary Death Investigations

I. Policy

Until proven to the contrary, a death should be considered as a possible homicide. One must be constantly aware that a death incident may represent a danger to persons still at the scene or to responding personnel. The personal safety of individuals at the scene is a primary concern.

II. Definitions

Medical Examiner - A physician authorized by the Virginia Department of Health, Office of the Chief Medical Examiner (OCME) to investigate violent, suspicious, or unnatural deaths to bring trained medical evaluation into the investigation of those deaths which, are of concern to the public health, safety and welfare.

III. Code Requirement

- A. [Virginia Code § 32.1-283](#). Investigation of deaths; obtaining consent to removal of organs, etc.; fees.
- B. [Virginia Code § 32.1-309.3](#). Cremations and burials at sea.

IV. Procedure

- A. Preliminary Death Investigation – Officers responding to calls involving a death should not form opinions or conclusions based on dispatch information prior to arrival at the scene. Personnel should assume any call involving a death is a homicide and a medical examiner case until proven otherwise. In all cases the scene should be secured using appropriate measures and as warranted by the situation.
 - 1. Preliminary Actions - The first officer on the scene is responsible for:
 - a. Assuring the safety of persons to prevent further injury or death.
 - b. Calling for additional police or rescue assistance.
 - c. Requesting a supervisor and a police agent respond to the scene.
 - d. Preserving the scene and possible evidence.
 - e. Gathering witnesses.

2. Preliminary Investigation

- a. All deaths being investigated by the police department shall be documented in a case report.
- b. A death investigation is either a medical examiner's case or a non-medical examiner's case and the body is either in public view or is not in public view.
- c. Personnel should always proceed with their investigation and processing as if it were a homicide as procedures for the disposition of the body will vary depending upon the circumstances - could take hours or days before the Office of the Chief Medical Examiner (OCME) determines whether a case is a medical examiner's case or a non-medical examiner's case.
- d. The Department shall investigate the death of any person in police custody. The investigative process will be professional, thorough, and impartial and consist of both a criminal and administrative investigation into all aspects of the incident.

B. Death Certification

1. Medical Examiner Case - The following types of death, regardless of the duration of survival following the underlying injury are considered medical examiner cases and require that the OCME be contacted and presented with the circumstances surrounding the death and any known medical history associated with the decedent. Most cases will not require the medical examiner's immediate presence at the scene of death, however; a medical examiner is required to make the appropriate determination concerning on-site viewing and the disposition of a body.
 - a. Trauma or violence: gunshot, stab, electrocution, burn, poison, fall, mangle, crushing, drowning, starvation, suffocation, strangling, etc.
 - b. Suspicious, unusual, or unnatural cause: any death suspected of being from homicide, suicide, accident, violence, trauma or injury.
 - c. In custody: in prison, jail, or police custody regardless of apparent cause.
 - d. Unexplained or unexpected: 1) Found dead under non-suspicious circumstances, but there is no reasonable medical history nor symptoms to explain the cause of death; 2) Never attended by a physician; or attended by a practitioner who is legally unable to complete death certificate; 3) Fetal death attended by a midwife.
 - e. Other: when the body is to be cremated or buried at sea.

If the medical examiner indicates an autopsy will be conducted, the body will usually be transported directly to the [OCME's Northern District Office](#) in Manassas. (See IV.C. Body Transport)

2. Non-Medical Examiner's Case

- a. A death resulting directly from a disease or illness which has been diagnosed and is actively being treated or attended to by a physician or where the patient is under the care of a medical staff of a hospital, hospice, or nursing home.
- b. The physician in charge of a patient's care for the illness or condition which resulted in death is to be contacted as soon as possible. The investigating officer shall notify the physician of the deceased's passing and determine if the physician intends to sign the death certificate. If the deceased's physician refuses to sign the death certificate, the OCME is to be notified immediately. This information shall be noted in the investigating officer's case report.
- c. If the investigating officer is unable to contact the attending physician, the officer shall contact the OCME for permission to remove the body. In all cases, officers at the scene should make certain the deceased's body bag is secure prior to being transported from the scene. The body shall then be transported to the Virginia Hospital Center to be stored in the morgue until the attending physician is contacted to sign the death certificate.
- d. When an investigating officer is unable to contact the deceased's attending physician, it shall be the responsibility of the detective assigned to the case to follow up with the physician regarding completion of the death certificate. Once the attending physician is notified and agrees to sign the death certificate the body can be released to family and moved from the hospital morgue to the funeral home.

C. Body Transport

1. Medical Examiner Case –When the Medical Examiner indicates there will be an autopsy, the body is usually transported directly to the [Medical Examiner's Northern District office](#) in Manassas. Transportation of the body to the location designated by the Medical Examiner will be accomplished by the funeral home contracted by the Department for the removal of dead bodies.
2. Non-Medical Examiner's Case - When the body is in public view, a police supervisor may request that the body be transported by a medic unit to the Virginia Hospital Center. If the body is not in public view, the selection of a funeral home is the family's responsibility. The deceased's body shall be transported directly to the funeral home using the funeral home's vehicle. If no family is available, transportation to a funeral home will be at the direction of a police supervisor utilizing the funeral home contracted by the department for the removal of a body.

A DOA Registration Information Form shall be completed by the investigating officer to record the deceased's personal information. A copy of this form shall be supplied to the registration staff at the hospital charged

with temporarily storing the body of the deceased, the security staff admitting the body of the deceased to the hospital's morgue and attached to the police case report.

3. The funeral home contracted by the department, to transport dead bodies, is reimbursed for the transport of medical examiner's cases only. The transport of a non-medical examiner's case will be at the request of a family member and may be a funeral home of their choosing. The officer assisting for the arrangement of the transport will inform the family that they are responsible for payment and document this in the case report or supplement along with the names of funeral home personnel making the transport.

D. Pronouncement and Identification

1. Virginia Hospital Center Emergency Room physicians are not required to make death pronouncements in DOA cases. The obvious death determination made by the Fire Department medics and observation by the officers' present shall be sufficient. It shall be mandatory for the investigating officer to record in the report the name(s), administrative number(s), and the assignment of the medics who respond and make obvious death determinations.
2. All bodies must be identified by attaching an evidence tag to both the body and the exterior of the body bag prior to its removal from the scene. A [Death Scene Check List](#) must be completed by the police agent assigned to the call. A separate Death Scene Check List must be prepared for each victim. The original Death Scene Check List (white) is always attached to the case report. The yellow copy of the Death Scene Check List is needed for a medical examiner's case and should accompany the body for the medical examiner's review. Additionally, the yellow copy of the Death Scene Check List should be given to hospital security personnel if a body is to be temporarily stored at the Virginia Hospital Center morgue. Otherwise, the yellow copy of the Death Scene Check List should remain attached to the original.
3. If the body is to be temporarily stored at the Virginia Hospital Center morgue, the investigating officer shall respond to the Virginia Hospital Center Emergency Room (ER) and register the body with the ER desk. During registration the investigating officer shall provide the hospital's registration staff with a photocopy of the [DOA Registration Information form](#). The officer shall then contact hospital security and request they meet the officer and funeral home personnel (or Fire Department) at the hospital morgue. The officer shall provide a copy of the Death Scene Checklist and a copy of the DOA Registration Information form to the security officer in order for the funeral home (or Fire Department) to place the body into the morgue. The officer shall then attach a copy of the DOA Registration Information form to the case report along with all other required documentation. Reviewing supervisors should confirm this form is attached to the DOA report when submitted by an officer.

E. Notification of the Criminal Investigations Section

1. The Homicide/Robbery Unit of the Criminal Investigations Section (CIS) shall be notified of all medical examiner's cases. During normal CIS duty hours, notification should be made by an Operations Division supervisor familiar with the events and the scene to the Homicide/Robbery Unit supervisor, or another CIS supervisor if the Homicide/Robbery Unit supervisor is not available. Other than normal CIS duty hours, notification should be made in the following order until a supervisor has been notified:
 - a. Lieutenant, Homicide/Robbery Unit
 - b. Captain, Criminal Investigations Section
 - c. Any Lieutenant, Criminal Investigations Division
2. After evaluating the information provided by the Operations Division supervisor, the CID supervisor will have Homicide/Robbery Unit detectives either respond to the scene to take over the investigation or follow-up after preliminary investigation case reports have been submitted. Operations Division personnel will conduct preliminary investigations where there are no unusual or suspicious circumstances.
3. If a death occurs in the Arlington County jail, the responsibility for an investigation rests concurrently with the Sheriff's Office and the Police Department. Each agency will assign an investigator to work with and assist the other in the investigation. The Sheriff's Office shall maintain the body and death scene in the condition found until inspected by a police investigator. The Police Department shall be primarily responsible for processing the scene and collecting evidence.

F. Fingerprints


1. A police agent shall fingerprint the deceased in all death cases to which the police are called. For an apparent homicide or suicide, a full rolled set of fingerprints should be taken at either the scene or a medical facility. When a homicide has occurred, or when the cause of death is unknown, palm prints should be obtained. In all other cases, a plain impression of the right index finger should be taken to guard against a mix-up in identities. The print should be taken unobtrusively, or out of view of family or friends. If there is an objection, do not take the fingerprint at the scene.
2. This single fingerprint should be rolled or pressed onto the back of a Latent Print Card (PD2020-117) with a piece of lift tape placed over top of the fingerprint for protection. The Latent Print Card shall be completed on the front with all necessary and available information and submitted to the Forensic Identification Unit so as to preserve the continuous and logical chain of evidence.
3. It should be noted that infants do not always have fingerprints that are conducive to current methods used to obtain fingerprints; therefore, footprints should be used in lieu of fingerprints.

G. Securing the Premises

1. In most cases, a friend or relative is present who can take responsibility for securing the premises. If circumstances are discovered that would cast doubt on the ability or appropriateness of such a person to care for the deceased's property, then the premises should be secured by the police until a responsible party can be found. If an apartment is involved it may be entirely appropriate for the resident manager to secure the premises and assume this responsibility.
2. The Police Department shall secure the premises (normally by having the locks re-keyed and turning the keys in to the Evidence & Inventory Management Unit when:
 - a. No one can be found who will be responsible for the property.
 - b. The death is of suspicious circumstances and it may be necessary to revisit the premises after the autopsy.
 - c. A crime has occurred, and it will be necessary to revisit the premises to conduct further searches for property or evidence.
3. When no one can be found to assume responsibility for the premises and items of significant value, which could be removed, are contained therein, (i.e., cash or jewelry) it may be necessary to turn these items in to the Evidence & Inventory Management Unit for safekeeping. If the deceased's will is found it may be given to the executor of the estate. If the executor is not present, the will should be turned in to the Evidence & Inventory Management Unit for safekeeping.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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531.02 Fire Incidents

I. Policy

The primary responsibility for the investigation of fires and accidental fire deaths rests with the fire department. The police department provides assistance as necessary or when requested by the fire department.

II. Procedure

A. Arson Arrest


1. Officers who observe the commission of an arson or who establish probable cause for an arson which requires immediate apprehension shall effect an arrest and notify the Office of the Fire Marshal.
2. The arresting officer may request assistance in evidence processing and gaining an expert opinion on matters which are unique to the investigation and prosecution of arson.

B. Fire Investigation

1. Upon request by the fire department, the police department will assist on the scene of a fire by providing traffic direction and control, perimeter security, and evidence processing and collection.
2. If requested by the Office of the Fire Marshal, an investigator from the Criminal Investigations Section will be assigned to assist with any fire related case which is a result of arson, or suspected arson. A police case report is required for all arson incidents, fire related deaths, and fires involving other offenses.
3. All fire deaths will be investigated by the Criminal Investigations Section of the police department with the assistance of the Office of the Fire Marshal. The assistance of the Office of the Fire Marshal shall be with respect to, but not limited to, the cause and origin of the fire.
4. When the examination of a fire scene indicates another offense is involved (i.e., burglary, stolen property, auto larceny), an officer shall respond to the scene and complete a police case report. Officers dispatched to scenes where a Fire Marshal is not present may request a Fire Marshal to respond to the scene. A copy of the police case report should be forwarded to the Office of the Fire Marshal.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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531.03 Sex Crime Investigations

I. Policy

Sex crime victims may suffer extreme psychological as well as physical injury. Investigating officers should be cognizant of this and conduct their investigation with patience and understanding of what the victim has experienced. The officer's investigative technique may influence the victim's cooperation in any subsequent proceedings.

II. Definition – The terms “sex crime” and “sex offense” in this policy refer to felony crimes of sexual assault to include: *Rape - Carnal Knowledge - Animate/Inanimate Object Penetration - Indecent Liberties with a Child - Forcible Sodomy - Any attempt to commit these offenses.*

III. Procedure

A. Initial Response

1. Only primary units assigned to the incident should respond directly to the victim. All other units should begin a search for the suspect.
2. The first officer on the scene shall determine the need for immediate medical attention for the victim, followed by an updated description of the suspect(s), means of escape, direction of travel, and any other relevant information.
3. Responding officers should ensure that the crime scene is secured and potential evidence is not lost, changed, or contaminated. Officers should also evaluate the crime scene for potential witnesses and/or other evidence.
4. Officers should make every effort to contact the Special Victims Unit (SVU) supervisor or an investigator prior to any contact with the suspect (including arrest or detention), in any felony sex offense:
 - a. Where the suspect is an acquaintance of the victim, or
 - b. Which is reported by the victim more than 72 hours after the incident is alleged to have occurred.
5. The primary officer shall complete a police case report and all other officers that responded to the call shall complete a case supplement report.

6. The supervisor in charge will be responsible for notifying the SVU supervisor, his/her designee, or other Criminal Investigations Section (CIS) supervisor:
 - a. For a report of any felony sex offense being made within 5 days of the incident
 - b. For a report of any sex offense in which the victim is 14 or younger
 - c. Whenever an arrest is made for any felony sex offense
 - d. Anytime a search warrant is initiated. Investigators should be consulted in preparing the search warrant affidavit.

B. Victim Interview

1. The interview should be conducted in private and at a location which will prevent interruption.
2. Before beginning the interview, the officer should:
 - a. Establish rapport with the victim.
 - b. Explain the need to ask questions regardless of the fact that they may be embarrassing to the victim.
 - c. Explain future medical, police, and possible court procedures to the victim.
3. The interviewing officer should be patient and allow the victim to tell the story in the victim's own words. Since the victim may not know the meaning of such words as fellatio, cunnilingus, or sodomy, officers should use words and phrases that the victim will be certain to understand.
4. The interviewing officer should establish the elements of the crime (i.e.: force, penetration, consent, sodomy), determine whether the offense occurred in this jurisdiction, identify and preserve physical evidence related to the crime (i.e.: bed covers, clothing, weapons). More detailed questioning should be postponed until such time that a sex crime detective can respond.
5. Whenever possible, the interviewing officer should be the primary officer and should complete a police case report.
6. In cases involving juveniles 14 years of age and younger, a cursory type interview can be conducted to obtain the basic facts of the case. If possible, the officer should wait until a SVU investigator can respond for the interview. The interview in such cases is a very sensitive one and leading type questions can affect the outcome in court.

C. Medical Examination Procedure

1. If the victim has sustained serious or possible life-threatening injuries, the victim shall be transported by medic unit to a hospital emergency room. An officer should follow the victim and medic unit to the hospital.
2. In non-emergency cases, the primary officer should transport the victim to a medical facility that specializes in the forensic examination and medical treatment of sexual assault victims. The Sexual Assault Nurse Examiner (SANE) program at Fairfax Hospital should be utilized. A detective, supervisor, or officer authorized by a supervisor should contact the SANE staff prior to arriving at the hospital. The primary officer should make certain that the victim has a change of clothing for the return trip.
3. The victim should have a physical examination, to include a Physical Evidence Recovery Kit (PERK), at the time the report is made, in cases of suspected rape, sodomy, or other sexual offenses in which the possibility of the transfer of physical evidence (i.e. hairs, fibers, or body fluids) exists, and the report is made within 5 days of the incident.
4. It shall be the responsibility of the assigned investigator to determine the need for a physical examination of the victim in cases of suspected rape, sodomy, or other sexual offenses, in which the report is being made after 5 days of the incident. If such an examination is warranted, the investigator will make the necessary arrangements with the medical personnel.
5. All medical fees expended for the collection of evidence and the PERK shall be paid by the Commonwealth of Virginia ([§19.2-368.11:1](#)).
6. The primary officer must identify the medical personnel who conducted the physical examination to ensure chain of custody of the evidence for purposes of determining who to subpoena.
7. The interviewing officer should make arrangements for the victim's transportation home unless the victim makes other arrangements.
8. A victim/witness rights form shall be given to the victim.

D. Physical Evidence Recovery Kit

1. Victim PERK
 - a. Only the medical staff is authorized to administer the victim PERK examination.
 - b. In accordance with the Department's evidence handling policy and procedures, the victim's PERK should be secured in a locker as soon as possible.
 - c. Whenever the victim's PERK box is marked as "perishable" and/or "in need of refrigeration", the kit shall be stored in the refrigerator of evidence Room 33. The investigator assigned to the case is responsible for transporting the PERK to the Northern Virginia Forensic Laboratory. If the PERK includes item(s) containing

preservatives, the investigator assigned to the case should submit the kit to the lab within 7 days.

2. Suspect PERK

a. All persons arrested for rape, sodomy, and incest should be given the suspect PERK. Two kits may be used: one is used within 24 hours of the assault; the other is used after 24 hours. These kits include complete instructions and are stored in the P-2 room. All suspect PERK must be submitted to the Division of Forensic Science Crime Laboratory within 7 days. The investigator assigned to the case will be responsible for transporting the PERK to the lab.

b. Administering the PERK over Suspect's Objection

(1) Within 24 hours of the alleged assault

(a) If the suspect objects to the PERK and there is no danger of losing evidence, obtain a search warrant. (Notify the SVU if a search warrant is initiated).

(b) If the suspect objects to the PERK and there is a danger of losing evidence, reasonable force may be used to obtain the evidence without securing a search warrant.

(2) After 24 hours

(a) In this case, time may not be a factor; therefore, the officer should contact the SVU for advice.

E. Evidence Handling

1. The primary officer shall be responsible for handling all evidence collected at the medical facility. This should include the victim's clothing and the victim PERK. If the victim changed clothes prior to reporting the incident, it shall be the responsibility of the primary officer to ensure the clothing is located and collected as possible evidence.
2. The police corporal(s) and/or Master Police Officer of the CIS Crime Scene Unit assigned to the case shall be responsible for collecting evidence at each crime scene, and will assist the officer at the medical facility if needed.
3. Special attention should be given to the collection of blood, body secretions, hairs, and fibers. Other possible items of evidence may include latent fingerprints, shoe impressions, and soil samples.
4. Corporals will be responsible for photographing the crime scene and related evidence. Corporals may also be responsible for photographing any injuries sustained by the victim. Injuries to the torso or pelvic area may necessitate a photographer of the same gender as the victim.
5. Corporals will be responsible for drawing a sketch of the crime scene whenever one is desired to enhance the investigation. Sketches should


include the location of evidence collected.

F. Follow-up Investigation

1. All reports of felony sex offenses shall be assigned to an investigator in the SVU.
2. A SVU investigator will assume control of the investigation upon arrival to the crime scene, medical facility, or interview location.
3. The investigation of the case will be handled in accordance with the policy and procedures of the Criminal Investigation Section and the Standard Operating Procedures for the SVU.
4. Pursuant to [§19.2-9.1 of the Code of Virginia](#), the assigned investigator or any other law enforcement official is prohibited from requiring an alleged victim of a sex offense to submit to a polygraph examination or other truth-telling device. Any request for a victim to submit to a polygraph exam during an investigation shall be made in writing. Any refusal to submit to such an exam shall not prevent an investigation or prosecution of the case.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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531.04 Domestic Violence

I. Policy

At the scene of a domestic violence incident, an officer should take appropriate action to restore and maintain peace, provide for the safety of those present, and arrest and take into custody the person whom the officer has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor. If there are special circumstances which would dictate a course of action other than an arrest the officer shall initiate reasonable measures, such as mediation or referral to prevent a recurrence of the incident.

In order to minimize potential retaliation against the victim by the suspected abuser, the responding officer will attempt to obtain a warrant according to department procedures. The victim's reluctance to prosecute should not be a factor in the officer's decision to obtain a warrant.

An officer investigating any complaint of family abuse, including but not limited to assault and battery against a family or household member may, upon request, transport or arrange for the transportation of an abused person to a hospital, safe shelter, or magistrate.

II. Code Requirements

- A. [§19.2-81.3. Arrest without a warrant authorized in cases of assault and battery against a family or household member and stalking and for violations of protective orders; procedure, etc.](#)
- B. [§18.2-57.2. Assault and battery against a family or household member; penalty.](#)
- C. [§16.1-253.4. Emergency protective orders authorized in certain cases; penalty.](#)
- D. [§16.1-253.2. Violation of provisions of protective orders; penalty.](#)

III. Definitions

- A. Domestic Disturbance - Any confrontation in which the parties involved have a family relationship or are sharing, or have shared, a mutual residence.
- B. Domestic Violence - Any criminal offense involving the use of physical force by one family or household member on another.

- C. Family or Household Member - All offenses in which the victim meets the definition of family or household member as outlined in this sub-section are under the jurisdiction of the Juvenile and Domestic Relations District Court.
1. A person's spouse, whether or not he or she resides in the same home with the person.
 2. The person's former spouse, whether or not he or she resides in the same home with the person.
 3. The person's parents, stepparents, children, stepchildren, brothers and sisters, half-brothers, half-sisters, grandparents and grandchildren regardless of whether such persons reside in the same home with the person.
 4. The person's mother in law, father in law, sons in law, daughters in law, brothers in law and sisters in law who reside in the same home with the person.
 5. Any individual who has a child in common with the person whether or not the person and that individual have been married or have resided together at any time.
 6. Any individual who cohabits or who, within the previous twelve months, cohabited with the person, and any children of either of them then residing in the same home with the person ([Code of Virginia § 18.2-57.2](#)).
- D. Cohabitation – A living arrangement in which two unmarried individuals, regardless of gender, live together in a long-term relationship that resembles marriage.
- E. Family Abuse - Any act involving violence, force or threat, including any forceful detention, which results in physical injury or places one in reasonable apprehension of serious bodily injury and which is committed by a person against such person's family or household member.
- F. Conditions of Release and Recognizance - A legal document issued by a magistrate advising the offender of specific conditions prior to being released.
- G. Show Cause Summons - A legal document issued by a magistrate when conditions of release and recognizance have been violated.
- H. Emergency Protective Order - A written or verbal order issued by a magistrate or any judge, when there is reasonable fear of assault by a family or household member. The order may prohibit a suspect (alleged abuser) from entering or remaining in the home and shall expire seventy-two hours after issuance. If the expiration of the seventy-two-hour period occurs at a time that the court is not in session, the emergency protective order shall be extended until 5 p.m. of the next business day that the Juvenile and Domestic Relations District Court is in session. The order can be obtained by a law enforcement officer ([Code of Virginia § 16.1-253.4](#)).

- I. Preliminary Protective Order - A written order issued by a judge of the Juvenile and Domestic Relations District Court to protect the health and safety of the victim from family abuse. The victim is responsible for petitioning the court for a preliminary protective order which is valid for up to fifteen days from issuance ([Code of Virginia § 16.1-253.1](#)).
- J. Protective Order - A written order issued by a judge of the Juvenile and Domestic Relations District Court to protect the health and safety of the petitioner and family or household members of the petitioner. A protective order, which is issued after a hearing with both parties, is valid for up to two years ([Code of Virginia § 16.1-279.1](#)).
- K. Respondent - Refers to defendant on protective orders in cases of domestic violence or family abuse.
- L. Petitioner - Refers to complainant on protective orders.
- M. Predominant Physical Aggressor - The party that poses the most serious threat. The predominant physical aggressor is not necessarily the first to engage in assaultive behavior. [Code of Virginia § 19.2-81.3](#) lists the standards for determining who is the predominant physical aggressor.

IV. Procedure

A. General Guidelines

1. Officer Responsibilities - Officers responding to domestic situations will take the following actions, as appropriate:
 - a. Make an arrest when probable cause exists.
 - b. If an arrest is made or will likely be made in the future after follow-up, take a photograph of the victim even if no injuries are present.
 - c. Take photographs of destroyed property and other evidence as needed.
 - d. Investigate each case for any child abuse or neglect. If child abuse is suspected, notify a supervisor, and make contact with Child Protective Services. List all children's names in the report and indicate if they are present and/or witnessed the incident.
 - e. Inform victims of Protective Orders.
 - f. Determine if an emergency protective order and/or an Emergency Substantial Risk Order is appropriate.
 - g. Officers will interview the suspect and document all responses.
 - h. Officers will inquire about the relationship of the victim to the suspect, and the victim's name.
 - i. Officers will attempt to have the suspect state the relationship between the two (for court).
 - j. Check all parties involved for warrants.

- k. Ascertain whether or not there are firearms in the residence and if so, seek permission to temporarily take possession of them for safekeeping.
 - l. If the suspect is arrested and held by the magistrate, any other important information that could influence the bond hearing and that is contained in the report (e.g. "the suspect became abusive and threatening in the booking room, etc.") must be brought to the attention of the Office of the Commonwealth's Attorney.
- 2. Investigation of Domestic Related Cases - The following steps should be included in an officer's investigation and subsequent report:
 - a. Interview the victim, suspect and witnesses separately. Attempt to prevent communication between victim/suspect/witnesses.
 - b. Determine the suspect and victim's activity. (Distinguish predominant physical aggressor from victim, especially if both are injured).
 - c. Note and document victim's condition and demeanor.
 - d. Note evidence of injury.
 - e. Note condition of crime scene.
 - f. Photograph or turn in weapons.
 - g. Record alibi statements.
 - h. Advise suspect of rights and obtain statements.
 - i. Obtain the paramedics names if transported, obtain the treating doctor's name.
- 3. Determine the Predominant Physical Aggressor
 - a. History of calls for service at the home - dispatch/CAD/LERMS databases.
 - b. History of domestic violence at the home or between the parties.
 - c. Prior assault convictions of either party.
 - d. Height/weight of parties.
 - e. Proportional nature of injuries inflicted on each person.
 - f. Injuries-offensive or defensive.
 - g. Evidence that one party acted in self-defense.
 - h. Do injuries fit the stories told by both parties?
 - i. Presence of fear in one party.
 - j. Presence of other normal responses to trauma (e.g., crying, hysteria, distractedness, anger).
 - k. Presence of calm or controlling behavior in one party.
 - l. Potential for future injury.
 - m. Officer information.
 - n. Disputant information (including excited utterances).

- o. Witness information (other family members, neighbors, etc.).
 - p. Prior assault convictions of either party.
 - q. Current or previous orders of protection filed against either party.
 - r. Scratches on one person's body.
 - s. Bite marks on arm or chest of one party.
 - t. Use of a "weapon", such as a frying pan, etc. by one party at the scene.
 - u. Need for protection.
 - v. Potential for future injury.
- B. On-scene investigation - Officers shall conduct a thorough investigation of domestic disturbance and violence calls making every effort to identify the predominant physical aggressor, which is not necessarily the person who initiated the incident or struck first. Officers should interview the parties as fully as circumstances allow. If a potential criminal violation has occurred, the victim's safety and privacy should be ensured by interviewing the victim in an area apart from the suspect, witnesses, and bystanders. The officer should ask the victim about previous domestic incidents, their frequency and severity. If witnesses provide information about prior incidents, the officer should document such incidents to establish a pattern. The officer should not tell the victim what decision has been made concerning arrest until all available information has been collected.

Once an officer has developed probable cause to believe that an assault has occurred, involving family or household members, the officer shall arrest and take into custody the person that officer has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor unless there are special circumstances which would dictate a course of action other than an arrest.

Signs of trauma and any apparent healing of abuse wounds on any children present should be noted by the officer. If signs of abuse or neglect are found, or a child is a witness to, involved in, or the victim of the domestic violence incident, Child Protective Services should be notified, and written documentation of all observations included in the preliminary report.

- C. Arrest Process - All persons arrested for domestic assault and battery must be brought before the magistrate. Provisions in the Code of Virginia do not provide for release on a summons in these cases. The arresting officer will be carried as the complainant on the warrant.

The magistrate can establish conditions of release for a suspect. If the suspect violates the conditions of release, such as contacting the victim or complainant when the conditions of release stated that there is to be no contact, an officer shall contact the magistrate by telephone, or through the ECC, to determine whether a show cause summons or capias will be issued directing the officer to take the suspect into custody. The Conditions of Release and Recognizance Form are valid until the suspect appears for the first time in court.

- D. Evidence - If a criminal violation has occurred, the officer(s) shall collect and preserve all physical evidence reasonably necessary to support prosecution, including evidence sustaining the victim's injuries (photographs, medical evaluation if possible, etc.), evidentiary articles that substantiate the attack (weapons, torn clothing, etc.) and evidence recording the crime scene (overall photographs).

Photographs should be taken of any obvious injuries sustained by a victim of domestic violence. The nature and extent of the injury, with a statement that photographs were taken, should be documented in the police case report. The memory card containing the photographs must be placed in an envelope and forwarded to the Forensic Identification Unit. Victims should be advised by the officer to contact the Criminal Investigations Section should signs of bruising appear later so that the assigned detective can make arrangements to meet with the victim.

- E. Protective Orders - In every case in which a law enforcement officer makes an arrest under this section, he shall petition for an Emergency Protective Order (EPO) as authorized in [§ 16.1-253.4](#), except if the person arrested is a minor (a person less than 18 years of age).

The Code of Virginia [§ 19.2-81.3.D](#) provides that regardless of whether an arrest is made, if the officer has probable cause to believe that a danger of acts of family abuse exists, the law enforcement officer shall seek an EPO under [§ 16.1-253.4](#). The availability of an EPO shall not be affected by the fact that the family or household member left the premises to avoid the danger of family abuse by the respondent. The issuance of an EPO shall not be considered evidence of any wrong doing by the suspect.

An EPO may be requested either in person or by telephone and may be issued by a magistrate or any judge. Issuance of a EPO by telephone is appropriate when the officer is still at the incident scene and there is a potential opportunity for quick or immediate service of the EPO. Whether obtained in person or by telephone, officers shall complete applications for EPO's on the requisite state form, in accordance with the [Code of Virginia § 16.1-253.4 \(D\)](#). If the EPO was obtained by telephone from the incident scene, the officer shall report to the issuing judge or magistrate, and shall complete all required paperwork ([Form DC-626](#)) as the judge or magistrate may direct, immediately upon leaving the scene.

A copy of the issued EPO shall be served upon the respondent as soon as possible. One copy of the orders shall be given to the allegedly abused person when issued and one copy shall be filed with the case report. The original copy shall be verified by the judge or magistrate who issued the order. The judge or magistrate who issued the order will file the original copy with the clerk of the Juvenile and Domestic Relations District Court within five business days of the issuance of the order.

It is important that EPO's be entered into VCIN as soon after issuance as possible because they are only valid for a short period of time and also because persons subject to protective orders are prohibited from purchasing

or transporting firearms ([Code of Va. §18.2-308.1:4](#)). In order to ensure the most expeditious entry of EPO's into VCIN, the police department will assume responsibility for initiating the VCIN entry of a magistrate issued EPO. The procedure, applicable to Emergency Protective Orders issued for stalking as well as family abuse, will be as follows:

1. The requesting or reporting officer will take a photocopy of both sides of the court copy of the EPO to ECC as soon after issuance as practicable.
2. The case report number is to be written under the line for Court Case No. located in the top right-hand corner of the EPO.
3. The date and time of expiration of the order should be noted at the very bottom of the front side of the form to minimize VCIN entry errors. If uncertain about expiration date and time, verify with the magistrate.
4. If an Emergency Protective Order is served after its initial entry into VCIN, ECC must be notified of the date and time of service.
5. All un-served EPO's are to be placed in the warrant box at the Customer Service Counter.
6. Warrant Unit personnel will return expired EPO's to the clerk of the appropriate court.

If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded and entered into the system as described above. Upon request, the clerk shall provide the victim with information regarding the date and time of service.

In addition to any other penalty provided by law, any person who violates any provision of a protective order issued pursuant to [§§ 16.1-253, 16.1-253.1](#), (Preliminary Protective Orders) [16.1-253.4](#), (Emergency Protective Orders) [16.1-278.14, 16.1-279.1](#) (Protective Orders) or subsection B of [§ 20-103](#), (Restraining Orders) which prohibits such person from going or remaining upon land, buildings or premises or from further acts of family abuse, or which prohibits contacts between the suspect and the suspect's family or household member as the court deems appropriate shall be guilty of a Class 1 misdemeanor.

Any person subject to a protective order who commits an assault and battery resulting in serious bodily injury or who violates the protective order by furtively entering the home of any protected party while the party is present or entering and remaining in the home of the protected party until the protected party arrives is guilty of a Class 6 felony. An officer may arrest without a warrant for violation of one of the above orders, regardless of whether such violation was committed in the officer's presence, if such arrest is based on probable cause, upon personal observations, the reasonable complaint of a person who observed the offense, or upon personal investigation.

The Office of the Sheriff will continue to be responsible for the entry of Preliminary Protective Orders and other orders of protection issued by the courts, and for the entry of out of state protective orders. The service of these classes of protective orders will be handled by the Office of the Sheriff.

- F. Suspect Firearms - In domestic violence cases where the suspect owns, possesses, or has access to a firearm, and the investigating patrol officer has probable cause to believe that the suspect poses a substantial risk of personal injury to himself or others in the near future by their possession or acquisition of a firearm that officer shall attempt to obtain an Emergency Substantial Risk Order in accordance with Manual section 538.08 *Emergency Substantial Risk Orders*, and make a reasonable effort to secure all firearms through the voluntary cooperation of the suspect.

In all cases permission for the police to temporarily retain a firearm for safekeeping shall be sought from the suspect or other person having legal access to, or control over, the firearm - this may include the victim in some instances. If permission for temporary safekeeping of a firearm by the police is not granted, the investigating patrol officer shall seek guidance from the CID Special Victims Unit or shall inquire at the Office of the Commonwealth Attorney to determine whether seizure of the firearm can be accomplished through a court order or other procedural means.

In addition, the investigating patrol officer shall make a telephone notification to the Special Victims Unit in any domestic violence case where:

- Any weapon was successfully seized or recovered.
- The suspect has continued access to a firearm.
- The suspect is known to possess a firearm permit from any state.

The provisions of this sub-section notwithstanding, any weapon carried by a suspect at the time of his or her arrest may be seized under the principle of search incidental to arrest, and any weapon believed to have been used during the commission of a domestic assault may be seized in accordance with normal evidence collection procedures. Finally, nothing in this sub-section shall prevent an officer from immediately seizing or controlling any weapon that appears to pose an imminent danger to any person.

- G. Domestic Violence Involving a Law Enforcement Officer - In cases where a domestic violence suspect is an active law enforcement officer, the suspect's agency shall be contacted for guidance regarding the suspect's service weapon. A supervisor or Internal Affairs official from the suspect's agency may instruct the ACPD to seize the suspect's weapon for safekeeping. In all other respects, offenders who are law enforcement officers shall be treated in the same fashion as non-law enforcement offenders.

- H. Case Report - Any incident in which family abuse is apparent or suspected shall be documented by a police case report. A Domestic Violence Supplement form will be completed and attached to all domestic violence case reports.

Regardless of whether an arrest is made, the responding officer shall file a case report with the department, of any incident in which there is probable cause to believe family abuse has occurred, including, where required, a statement in writing that there are special circumstances which would dictate a course of action other than an arrest.

Original case reports involving domestic violence will be forwarded to the Records Management Unit. Copies of case reports will be made for dissemination to the Victim/Witness Program in the Office of the Commonwealth's Attorney. As the Code of Virginia stipulates, summaries of these reports are to be made available to victims of family abuse, upon request through the Records Management Unit. The Records Management Unit will keep a record of summaries disseminated and collect any departmental fees associated with this service.

- I. Doorways for Women and Families - The Department of Human Services maintains a contract with Doorways for Women and Families to provide crisis intervention services to families experiencing domestic violence. The Doorways domestic violence hotline is available 24 hours a day, seven days a week, to assist officers with arranging and securing support services (e.g., hospital accompaniment, temporary housing, transportation, etc.) for victims of domestic violence. Officers may contact the Doorways hotline directly at (703) 237-0881 or request assistance by way of the ECC.
- J. Referral - Child Protective Services, a state mandated agency whose predominant mission is the protection of children, has the responsibility for the investigation and disposition of any incident involving child abuse or neglect. The services of CPS are available for any incident in which a child is a witness to, directly involved in, or victim of any act of domestic violence.


Temporary shelter for a battered spouse may be made available through services or the Department of Human Services. The immediate assistance of these agencies should be sought whenever circumstances warrant, and referrals should be made in other cases when appropriate. There may be instances where the officer may need to assist or provide safe transport of the victim and/or family to a safe housing alternative.

The [Code of Virginia § 19.2-81.3\(C\)](#) requires that an officer provide the allegedly abused person, both orally and in writing, information regarding the legal and community resources available to the allegedly abused person.

- K. Follow-up Investigation - Investigative follow up will be in accordance with the provisions of Manual directive *530.01 Preliminary & Follow-up Investigations*. Assault and battery cases will be coordinated by the Criminal Investigations Section.
- L. Domestic Standby Related to a Protective Order – Officers will only conduct a domestic standby or assist the subject of an Protective Order in collecting clothing or other personal items from their residence when specifically authorized by the Protective Order. In such a case, the primary role of the officers is to maintain the peace and safety of those present at the scene while remaining neutral and not assisting in the retrieval or becoming involved in the disposition of property belonging to any involved party. Copies of Protective Orders are maintained by the ECC until they expire.



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532.01 Shoplifting

I. Policy

Shoplifting creates concern about crime and public safety, which can negatively impact the overall quality of life in the community, especially the business community. The inability to control retail theft losses can sometimes force a store out of business. This department will assist merchants in prosecuting shoplifters to the fullest extent of the law.

II. Procedure

- A. Merchant Authority - The [Code of Virginia § 18.2-105.1](#), authorizes merchants or their agents or employees to detain a person suspected of shoplifting for a period not to exceed one hour based on probable cause that the person committed larceny, or concealed merchandise. The purpose of the detention is to hold the person until the arrival of a police officer.
- B. Police Authority - The authority of police officers to make arrests without a warrant is contained in the [Code of Virginia, § 19.2-81](#), which provides that an officer may make an arrest without a warrant for either a misdemeanor or felony shoplifting violation when the arrest is based on probable cause on a reasonable complaint of a person who observed the commission of the offense in violation of the [Code of Virginia § 18.2-103](#). Alternatively, an arresting officer may also issue a summons to any person arrested for a misdemeanor shoplifting violation.
- C. Probable Cause - Once the officer determines the scene is under control, probable cause for the detention must be established. The complainant must have the following first-hand knowledge concerning the offense:
 1. Shoplifter was observed approaching the merchandise.
 2. Shoplifter was observed selecting the merchandise.
 3. Shoplifter was observed concealing the merchandise.
 4. Shoplifter was observed without interruption.
 5. Shoplifter failed to pay for the merchandise.
 6. Shoplifter was approached outside of the store.
- D. Classification of Offense - The responding officer shall determine whether the offense is a felony or misdemeanor and proceed according to the following:

1. Felony - When the value of the goods or merchandise involved is \$1,000 or more or for a third or subsequent larceny offense in accordance with the [Code of Virginia, § 18.2-104](#).

- a. Adult - Provide complainant with the police case report number. Officers may make a warrantless arrest for this offense provided probable cause exists that suspect has committed a felony. The ACPD will process and transport all adult shoplifting offenders.
- b. Juvenile - Verify the age of the offender. If an offender claims to be a juvenile, and verification cannot immediately be made, the offender must be processed as a juvenile until it is determined otherwise. Obtain all available information on the offender and give it to the complainant along with the case report number.

Officers should make every effort to contact a parent or guardian from the business. The juvenile will be released to a parent or guardian if one is available. If a parent/guardian is contacted and is not able to respond to the business in a reasonable amount of time, the parent/guardian may specify the means by which the juvenile may return home. The primary officer shall advise the juvenile's parent/guardian a petition may be pending for the juvenile's arrest.

If a parent/guardian cannot be located, a supervisor will be notified and arrangements will be made to place the juvenile in detention. The primary officer shall provide the complainant with the police case report number and all available identification information on the offender and instruct the complainant to obtain a petition for the juvenile's arrest through the Juvenile and Domestic Relations Court.

2. Misdemeanor - When the value of the goods or merchandise involved is less than \$1,000 and the offense is not a third or subsequent larceny offense. The [Code of Virginia § 19.2-81](#) allows officers to arrest without a warrant for an alleged misdemeanor not committed in their presence involving shoplifting in violation of [§ 18.2-96](#) or [§ 18.2-103](#).

- a. Adult - Provide complainant with identification information of arrestee and a police case report number. Issue a Virginia Uniform Summons (VUS) unless the arrestee:
 - (1) Refuses to give written promise to appear.
 - (2) Appears likely to disregard the VUS.
 - (3) Reasonably believed likely to cause harm to himself, or another person.
 - (4) If an arrestee does not qualify for a release on a VUS, follow the procedure for a felony arrest
- b. Juvenile - Follow the same procedure as for juvenile felony above; juveniles are not eligible for release on a VUS.

E. Evidence - Generally, photographs should be taken of shoplifted items in accordance with the [Code of Virginia, § 19.2-270.1](#), unless there is a good reason to impound an item. Any goods or merchandise should be returned to the merchant, owner or agent of the store where the offense occurred. When possible take photographs with the price tag attached to the item. Any recovered property not returned to the store and evidentiary photographs must be turned into the Evidence & Inventory Management Unit as evidence or for safekeeping. Evidentiary photographs of merchandise shoplifted must include:


1. A description of the item.
2. The owner and manner of identification.
3. The name of the business.
4. The name of the accused.
5. The name of the arresting or investigating officer.
6. The date of the photograph.
7. The name of the photographer.

F. Special Conditions and Exceptions

In the unlikely event that a [Special Conservator of the Peace \(SCOP\)](#) appointed in accordance with the [Code of Virginia §19.2-13](#) makes a shoplifting arrest the procedure outlined above will be followed.



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Chapter: 5 Procedures	Effective Date: October 6, 2017	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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532.02 Extra Checks

I. Policy


Officers conduct extra checks as part of the department's overall crime prevention plan and not for the purpose of establishing a duty to any entity.

II. Procedures

- A. Extra Checks - Directed patrol of private or public property or a specific event in an effort to deter or detect criminal activity and conducted when there are qualifying circumstances such as:
- An emerging crime pattern in a particular neighborhood or community.
 - A victim or witness to a crime is concerned about reprisal.
 - Personal safety concerns related to lost or stolen residential keys.
 - Suspicious activity.
 - A social event or function where there is potential for disorder.
 - A business where the alarm is temporarily out of service.
 - Requests by residents.
- B. Requests for Extra Checks
1. All requests for extra checks should be directed or forwarded to the Operations Division administrative assistant who will complete the Extra Check Request form and place it on a rollcall clipboard for distribution and assignment.
 2. Any requests for extra checks of an immediate nature, arising out of unforeseen circumstances, should be directed or forwarded to the Emergency Communications Center (ECC) with a request that the information be broadcast directly to appropriate patrol unit(s).
 3. Unless there is reasonable justification, a request for extra checks should not exceed a two week period.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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Accreditation Standard(s): ADM.21.01, ADM.25.01			

532.03 Graffiti

I. Policy


The reporting and removal of graffiti involves the cooperation and coordination of various county agencies. In order to make Arlington as graffiti free as possible, the County's goal is to have graffiti removed from public property within 72-hours of it being reported to the appropriate county agency.

II. Procedure

1. An officer dispatched to, or discovering, graffiti on public or private property shall initially confirm whether a police case report is already on file and, if not, they will complete a case report documenting the graffiti.
2. If the reported or observed markings are on a public street or sidewalk, and are in a temporary medium, such as chalk, and do not contain threats or gang-related info, then the graffiti does not require a police report and can simply be reported to DES for removal per their protocols.
3. Digital photograph(s) of the graffiti shall be taken irrespective of whether the graffiti is on public or private property.
4. For graffiti located on public property the officer shall complete a service request for removal and forward it to the appropriate County agency.
5. A copy of the incident report shall be forwarded to the Gang Unit for review and follow-up.
 - a. The Gang Unit will notify private property owners about graffiti located on their property and that cleanup is ultimately their responsibility and required by County policy. A property owner can be determined online by means of the Arlington County Property Search [website](#).



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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Accreditation Standard(s): N/A			

533.01 Animal Cases

I. Policy

The Animal Welfare League of Arlington (AWLA) provides animal control and animal sheltering services to Arlington County. The Police Department will render reasonable assistance when requested by an animal control officer.

II. Procedure

A. Animal Investigations

1. Animal control officers are charged with the enforcement of all Virginia and Arlington County laws pertaining to the welfare, care, and control of domestic and wild animals and are legally authorized to issue citations and take cases to court. AWLA officers will complete any necessary reports and perform follow-up investigations. Animal control officers investigate all animal complaints including:
 - a. Neglect and cruelty to animals.
 - b. Animal bite complaints.
 - c. Barking dog complaints, if the concern is related to physical distress. (Animal control officers do not have the legal authority to issue citations for barking dogs since this falls under the County's noise ordinance).
2. Police - The police department may investigate or handle the following types of animal-related incidents:
 - a. Larceny of animals.
 - b. Illegal shooting of animals.
 - c. Unattended, injured, or dangerous animals.
 - d. Noise complaints involving barking dogs between 1900-0700 only.

- B. Destruction of Animals – Officers may humanely destroy an animal found suffering from an injury or disease if the officer believes the animal is in pain and is unlikely to recover from its wound or illness. Officers may also humanely destroy any animal that poses an imminent threat to the public.


Destructions shall occur only with supervisory approval, unless the animal poses an immediate threat to the officer or the public. Destruction shall be accomplished in a manner that causes minimal further suffering to the animal. Where practical, destruction should occur out of public view or in a manner that attracts the least public attention to the incident.

Following an animal's destruction, the destroying officer shall ensure that appropriate arrangements are made for removal and disposal of the carcass, including testing of the animal's remains in rabies cases. A case report shall be completed by the destroying officer or their supervisor. The supervisor shall complete a *Firearms Discharge at Animal* review via BlueTeam and forward it through the chain of command to the Office of Professional Responsibility (OPR) and the Chief of Police.

- C. VCIN Information - Officers may disseminate VCIN vehicle registration information to animal control officers in furtherance of an animal related investigation. Prior to the dissemination, however, the officer shall meet with the animal control officer to verify the purpose for obtaining the information.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 14, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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533.03 Severe Accidental Injury

I. Policy

The first priority of an officer responding to an accident on County property that results in severe accidental injury is to aid the injured and to ensure emergency medical care is on the way. As soon as the emergency situation has been stabilized the investigation of the accident will begin.

II. Definition


Severe accidental injury - A sudden and unexpected life-threatening situation, not resulting from a traffic accident or sickness.

III. Procedure - All severe accidental injury cases which occur on Arlington County property that may become a medical examiner's case will be documented in a police case report regardless of whether any criminal action may be involved.

- A. The officer should view the situation as a possible crime scene and arrange for the collection and processing of evidence, including photographs in accordance with Manual directive *530.01 Preliminary and Follow-up Investigations*.
- B. If the incident involves a severe injury resulting from electrical shock, building collapse, or an industrial accident, notification should be made to, and technical assistance sought from:
 1. Arlington County Department of Environmental Services (DES), or
 2. Virginia Department of Labor and Industry.
- C. If the injury appears to be serious enough that death may result or if criminal activity is suspected the Homicide/Robbery Unit shall be notified in accordance with Manual directive *531.01 Preliminary Death Investigations*.
- D. If further investigation is required, the case will be assigned in accordance with Manual directive *530.01 Preliminary & Follow-up Investigations*.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: October 6, 2017	Amends/Supersedes: October 1, 2016 January 1, 2008	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): PER.10.01			

533.08 Staph Infection & Personal Hygiene

I. Policy

It shall be the policy of this police department to maintain an acute awareness of the possibility of staph infection. As such the police department will establish reasonable cleaning, decontamination and hygiene procedures to minimize the risk of staph infection outbreak.

II. Definitions

- A. Staphylococcus aureus - often referred to as “staph,” is a common bacterium that can lead to serious illness. Initially, staph infection may resemble a pink or red pimple/boil or spider bite. These minor skin infections can often be treated effectively without medical intervention. However, if over several days the wound begins to grow, become more discolored, or begins to drain, medical attention is warranted. Staph is passed from person to person through direct contact with skin or through contact with items contaminated with the staph germ.
- B. Methicillin-resistant Staphylococcus Aureus (MRSA) Infection - Is a type of staph infection that has grown resistant to some of the antibiotics that are normally used to kill staph. Other antibiotics can kill MRSA; however, it is important to note that not all MRSA infections need to be treated with antibiotics.

III. Procedure

- A. General Cleaning Procedures - The best way to prevent MRSA and other staphylococcus (Staph) infections is to wash hands frequently and thoroughly for 20 seconds with soap and warm water and to care for wounds properly. Proper hand washing is especially important before eating and after using the restroom.
 - 1. Work Out Room - Personnel using the Work Out Room will disinfect the equipment after each use with the disinfectant wipes provided. This cleaning will include all handles, dumbbells, frames and upholstery. Follow all safety precautions when using the disinfectant wipes and wash your hands after using them.

2. Police Locker Room - Sharing of personal hygiene items among police personnel is prohibited. This includes, among other things, bar soap, shampoo, razors, skin creams, and towels.
3. Training Equipment - The sharing of training equipment is prohibited unless such equipment is fully decontaminated between uses. When protective equipment and other training gear are used, the items will be decontaminated the same day using an alcohol-based sanitizer.
4. Workspace - Disinfectant wipes are available in the Property Unit for personnel to clean surfaces such as computers (keyboards), phones etc. These items should be wiped down after use or prior to use by another especially if equipment is shared.
5. Personal Hygiene - Alcohol based hand sanitizer is available in the Property Unit and is also located in the Work Out Room. It should be used when soap and water are unavailable and when hands are not visibly soiled.

Personnel should wash their hands following use of the Work Out Room or after training.

Bar soap will not be left in shower stalls, and wet towels will not be left hanging in open areas of the locker rooms. Fresh towels will be used daily, to include both shower towels and weight room towels.

All cuts and abrasions will be cleaned, dressed, and properly covered while at work. The term “properly covered” means that the skin infection is covered by a securely attached bandage that will contain all drainage and will remain intact throughout the activity. Hands should be washed after covering open wounds.


- B. Reporting Responsibilities - If an Officer feels they have contracted staph at the police department, a Workers Compensation Report should be filed. The county’s Risk Management Office must be notified along with the supervisor of the Personnel and Recruitment Section. The suspect area should be decontaminated. Re-evaluation and clearance by a competent medical professional will be required by the infected employee.

Any suspicions of staph infections in multiple people at the same time will be reported to the Arlington County Public Health Division (ACPHD). An investigation will be initiated to determine the origin of the infection and begin a risk management review. This inquiry will be done as soon as reasonably possible while maintaining strict confidentiality.

The Deputy Chief of the Systems Management Division or his designee, in consultation with the ACPHD, will determine whether specific areas within the Courts/Police facility require closing for any period of time until the source of the outbreak is determined and eliminated.



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Chapter: 5 Procedures	Effective Date: July 20, 2018	Amends/Supersedes: December 12, 2008	By Authority of the Chief of Police  Charles A. Penn
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533.09 Influenza Pandemic

I. Policy

The police department must be prepared to respond to public health emergencies through effective planning and awareness of the effects that a pandemic may have on the ability of the department to operate effectively. The department will be expected to partner with a variety of County, State and Federal agencies during such an event in attempting to maintain public order and in assisting public health officials with compliance to public health laws.

II. Definitions

- A. Influenza - A highly contagious viral disease. It is spread from person to person primarily by respiratory droplets due to coughing or sneezing. The incubation period (time from exposure to illness) is usually 1–4 days. Individuals may be infectious (able to transmit disease to others) 24 hours before the onset of signs and symptoms and as long as 7-10 days after onset of illness. The signs and symptoms of influenza include fever, muscle aches, headache, malaise, cough, sore throat and nasal discharge. Children often exhibit ear infections, nausea, and vomiting as well. Influenza can exacerbate underlying medical conditions, particularly pulmonary or cardiac disease, and can lead to secondary bacterial or viral pneumonia. The risk for complications, hospitalization and deaths from influenza is higher among adults of 65+ years, young children, and in persons with certain underlying health conditions.
- B. Pandemic - A pandemic is the worldwide spread of a new disease.
- C. Influenza Pandemic - An influenza pandemic is a global outbreak of a new influenza A virus. Pandemics happen when new (novel) influenza A viruses emerge which are able to infect people easily and spread from person to person in an efficient and sustained way.
- D. Isolation - Separates sick people with a contagious disease from people who are not sick. Isolation helps to prevent sick people from spreading illness to others. People in isolation may be cared for in their homes, in hospitals, or in other designated facilities.
- E. Quarantine - Separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick. The purpose is to prevent or limit the transmission (spread) of the communicable disease or public health threat.
- F. Workplace Quarantine - A selective, partial limitation of freedom of movement or actions of an individual who has been, or is suspected to have been, exposed to a communicable disease or public health threat but does not have signs or symptoms of infection. This includes limiting movement to the home, work and/or one or more other locations, prohibiting or restricting use of public or mass transportation and the use of particulate masks.

III. Procedure

- A. Influenza Pandemic Preparation - Pandemics do not occur frequently, but an influenza pandemic can take place when a new strain of influenza virus emerges for which humans have little or no immunity, and for which there is no vaccine. In the event of widespread human-to-human transmission, preparation is necessary to address potential challenges associated with a reduced workforce, possible large-scale loss of life and possible significant disruption to services, including mission-essential functions (See [Reduction Matrix](#)).
- B. Risk Management - When patterns and public risk justify immediate action to contain the spread of a virus, the Virginia State Health Commissioner along with the Arlington County Public Health Director will use the authority vested in their agencies to minimize the virus' impact to the public. The Arlington County Public Health Division will be the lead County agency on all disease prevention and control related matters during an influenza pandemic. Health officials maintain surveillance on pandemic threats to quickly identify and recommend control measures to prevent or slow the transmission of illness. As the pandemic progresses and events evolve prioritization will be on voluntary compliance to quarantine and isolation (Q & I) orders for persons. In certain situations, health officials may also issue court orders for Q & I that can be enforced legally. If efforts to limit the spread of the virus are unsuccessful, police resources will most likely need to be devoted to maintaining law and order.
- C. Incident Management - The Arlington County [Comprehensive Emergency Management Program \(CEMP\)](#) provides guidance to officials and entities prior to, during, and in recovery from an anticipated or immediate event, emergency or disaster. It also provides guidance for coordinating with regional, state, federal, and nongovernmental organizations when an emergency/disaster is imminent or declared. The CEMP's guidance is organized into component plans that reflect the four phases of emergency management: Mitigation, Preparedness, Response, and Recovery. These plans describe activities and assign broad responsibilities to Arlington County government departments, agencies and support organizations for each of the phases. Additionally, the [Commonwealth of Virginia Emergency Operations Plan](#) provides the framework for how the state will respond to support impacted local governments and specifically its response during a pandemic; found in [Annex #4 - Pandemic Influenza Response](#). This plan also includes emergency Support Functions for Public Safety & Security, and Public Health & Medical Services.
- D. Mutual Aid – Should local emergency response capabilities be exceeded (unlikely during most pandemics), outside assistance may be available through mutual aid agreements, members of or from the state through a request for assistance submitted to the Virginia Emergency Operations Center (VEOC).
- E. Phases of a Pandemic - The table below combines the World Health Organization's (WHO) defined phases of a pandemic and with the expected responses from the police department:

WHO PHASES OF PANDEMIC	ACPD RESPONSIBILITIES/EXPECTATIONS
<p>Inter-pandemic Period</p> <p>Phase 1 - No new influenza virus subtypes have been detected in humans. An influenza virus subtype that has caused infection may be present in animals. If present in animals, the risk of human infection or disease is considered to be low.</p> <p>Phase 2 - No new influenza virus subtypes have been detected in humans. However, a circulating animal influenza virus subtype poses a substantial risk of human disease.</p>	<p>Work with counterparts and the Arlington Public Health Division to learn as much information as possible to assist with preparation. Initiate planning and Interagency training.</p>
<p>Pandemic Alert Period</p> <p>Phase 3 - Human infection(s) are occurring with a new subtype, rare instances of human-to-human spread at close contact.</p> <p>Phase 4 - Small cluster(s) with limited human-to-human transmission but spread is highly localized, suggesting that the virus is not well adapted to humans.</p> <p>Phase 5 - Larger cluster(s) but human-to-human spread still localized, suggesting that the virus is becoming increasingly better adapted to humans, but may not yet be fully transmissible (substantial pandemic risk).</p>	<p>Educate employees and promote awareness and family preparedness, related to infection control and screening.</p> <p>Coordinate planning efforts with appropriate officials and prepare agency staff. Consider Continuity of Operations Plan (COOP) implementation.</p> <p>Communicate with public health, emergency management and our workforce at an increased frequency.</p> <p>As appropriate, roll-out additional training and equipment pertaining to standard precautions, service of quarantine orders and death investigations.</p> <p>Police Liaison Commanders communicate with OEM to monitor staffing, calls for service and absenteeism.</p> <p>As directed by the County Executive, Emergency Management will activate the County's Emergency Operations Center and implement Pandemic Influenza plans. As appropriate, assign a command staff member to EOC as well as the HDOC (Health Division Operating Center).</p> <p>Stay abreast of case volume (available from public health, who will be seeking voluntary compliance from at-risk persons to keep them isolated or quarantined as appropriate). When needed, Quarantine Orders will be issued by court and served by Sheriff's Office for persons who do not voluntarily remain isolated. A core group of trained officers will serve related appeals.</p> <p>Employees will be informed of any need to elevate levels of precaution. Daily health screenings may be implemented. Service and staffing modifications may occur.</p>
<p>Pandemic Period</p> <p>Phase 6 - Pandemic: increased and sustained transmission in the general population.</p>	<p>State of Emergency protocols may be declared. Police command staff will initiate daily (or appropriate) agency-wide communications to ensure employees are fully apprised of: health information, risk issues, staffing capacities, family needs, and service modification requirements, including Continuity of Operations Plan (COOP) implementation.</p> <p>Police/local law enforcement personnel may provide security at prioritized locations such as medical distribution centers if they are needed with the overall goal of maintaining order throughout the County.</p> <p>Service and staffing modifications will occur. The Sheriff's Office provides security at hospitals & mass dispensing sites if manpower permits.</p>

- F. Essential Services - If the impact of a pandemic worsens, services will be reduced and staffing modifications are likely. Unlike a traditional emergency with a limited duration, a pandemic with major impact could last for an extended period with re-occurring waves, significantly impacting workforce numbers and the availability of services.
- G. Personal Protection & Logistics – During a pandemic the police department will follow recommendations from health department officials regarding infection control for employees. Both agencies maintain a supply of particulate and surgical masks, gloves, hand-cleaner and protective eyewear for distribution to personnel. It is critical to practice good hygiene habits such as frequent hand washing, covering coughs and sneezes with a tissue or sleeve to prevent the spread of germs. A vaccine may not be available for several months after the actual identification of a virus. Once available, influenza vaccine will be provided based on CDC recommendations. Anti-virals may be used by both private providers and public health agencies as a prophylaxis (prevent illness) for influenza, to treat illness and reduce severity of symptoms. During periods of heightened risk employees should:
1. Wash hands thoroughly and often, according to guidelines from local public health officials, state health officials and the CDC.
 2. Apply standard precautions by wearing gloves, surgical masks (particulate masks are not necessary nor are they necessarily better than surgical masks), long sleeve clothing and glasses when dealing with high-risk persons, such as someone who has been exposed to or who has contracted a serious illness.
 3. Place surgical (or if not available, particulate) masks on high-risk persons to reduce the spread of disease.
 4. Maintain a distance of at least 3 - 6 feet when communicating with others to reduce the likelihood of droplet (not airborne, but respiratory droplet from coughing or sneezing) risk.
 5. Avoid public gatherings or social events during a declared state of emergency, also known as social distancing (or non-pharmaceutical interventions) as a means of helping to slow or reduce the spread of a virus.
 6. Frequently clean and disinfect public instruments that are repeatedly touched (e.g., door handles, phones, computer keyboards & mouse, elevator buttons, cruisers, etc.)
- H. Orders of Quarantine or Isolation or – In accordance with the [Code of Virginia §§32.1-43., 32.1-44., and 32.1-48.05. through §32.1-48.017.](#), the State Health Commissioner must order an isolation and/or quarantine and is not permitted to delegate such authority to a local health department director. Only the State Health Commissioner can issue legal paperwork requiring an officer to make an arrest.
1. In the situation where isolation or quarantine is ordered, the State Health Commissioner and the Arlington County Health District/Public Health Division work together with the person(s) affected to attempt voluntary compliance.

2. If the affected person(s) will not voluntarily comply with an isolation or quarantine order the State Health Commissioner may issue a civil order that is served by the Sheriff's Department. If the "client" complies with the order, no other law enforcement action is required.
 3. If the affected person(s) complies with the order but exercises his/her right to appeal, the police department is responsible for getting the affected person(s) to the Circuit Court. The hearing will likely be at the Arlington County Courthouse and may be handled through a video conferencing system.
 4. In accordance with the [Code of Virginia § 32.1-48.014](#) if an affected person(s) will not voluntarily comply with an isolation or quarantine order, the State Health Commissioner may direct any law enforcement officer to take them into custody to be held in the least restrictive environment that can provide the required health care or other services for such person. Failure to comply with quarantine or isolation orders is a Class 1 misdemeanor.
- I. Communications - Unlike a typical emergency, a pandemic will occur over time and its impact will grow with the spread of the virus. To ensure the community and employees have access to consistent information, the department will utilize several different means of existing communications:
1. Arlington County's primary method of communicating with employees during an emergency is via the Employee Alert System.
 2. Emergency Subscriber Listing (ESL) system will be used to inform the public of situations that directly affect the lives and safety of citizens.
 3. The Police PIO will coordinate with the County Manager's Office of Communications and Public Engagement, the Department of Human Services, and the Arlington County Public Health Division prior to the release of any information to the public.
 4. If communications systems fail or become unavailable, the department will maintain a fixed roll call schedule as follows:
 - a. Roll calls for standard shifts are at 0530, 1330 and 2130 hours.
 - b. Roll calls for modified 12-hour shifts will be from 0600 and 1800 hours.
- J. Death Investigations During Pandemic - Deaths related to an influenza pandemic are considered natural and will be investigated accordingly - although the response and investigation may be modified depending on available resources. Human remains do not ordinarily pose a significant threat to the community or those who handle them provided standard precautions are observed. All personnel who handle remains related to a pandemic shall utilize personal protective equipment.
- K. Reporting for Duty - Employees shall not report to work if they have signs and symptoms of illness, a fever or have been diagnosed with a communicable disease such as influenza. Employees who believe they have been exposed to influenza will be monitored for onset of symptoms. All exposures shall be reported to cut down the further spread of influenza and to maintain a healthy


staff. Normal call procedures for sick leave will be followed; an employee should advise if they are sick or they are caring for a sick family member.

- L. Lines of Succession/Continuity of Operations Plan – The ACPD Continuity of Operations Plan (COOP) provides a clear delineation of the line of executive succession and mission essential functions. In any case where the Chief of Police or the Acting Chief of Police becomes incapacitated and/or unavailable, the position of Acting Chief of Police will be filled in accordance with the COOP.
- M. Testing and Training – Training regarding influenza is done annually along with bloodborne pathogen training. Specialized training should be provided to the Civil Disturbance Unit and other employees who would be tasked with the service of Quarantine Order Appeals and select investigations. Additional training may include the following topics:
 - 1. Public health threats that specifically affect law enforcement, pandemic specific threats, and basic prevention and hygiene measures.
 - 2. What the law enforcement department is doing to protect officers and, if applicable, their family members.
 - 3. Department response plans and specific roles and responsibilities.

For the complete Code of Virginia as it relates to disease prevention and control, [click here](#).



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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536.03 Warrant/Summons Service

I. Policy

The routine service of outstanding warrants should be accomplished with minimal disruption to the community at large.

II. Procedures

A. Warrant Processing

1. Tracking Warrants

- After obtaining a warrant, the case number must be placed on it. The warrant must be entered into NCIC/VCIN within one hour, unless exigent circumstances can be shown. The warrant must then be logged in at the warrant book at the Customer Service Counter, in a timely manner. The warrant must be logged in even if it is to be taken out for immediate service or advise the warrant unit during working hours.
- Return unserved warrants to the Customer Service Counter in a timely manner. Under no circumstances should warrants be put into envelopes, Interdepartmental mail, or attached to reports.
- The Warrants Button in Mobile is essential to the proper handling of a warrant. All information developed in the course of attempting service should be noted in the "Service Attempts" under the Warrants Button, including sufficient details and address.

2. Warrant File

- Warrants are physically maintained in the Warrant File Cabinet in the Criminal Investigations Division. When a warrant must be retrieved for service or must be confirmed to another agency through the Emergency Communications Center (ECC), a member of CID shall be contacted. During hours when no personnel are available in CID, ECC personnel or a patrol officer shall perform the required task. Due to NCIC time limits, this assignment shall be considered urgent.
- A patrol officer dispatched to confirm a warrant shall access the Warrant File and immediately notify the ECC of the findings.
- Patrol officers shall not physically remove warrants from the file unless needed for immediate presentment to a magistrate. If the warrant is removed for such purposes, an entry shall be made on the warrant

folder and the folder placed in the clear side pocket tray attached to the side of the Warrant Cabinet. An executed copy of the warrant (if available) shall also be placed in the clear side pocket tray or at the Customer Service Counter; (for example released on summons).

- d. If a new warrant is obtained during midnights/weekends, the obtaining officer shall leave it in the "New Warrants" tray and make an entry at the Customer Service Counter in the New Warrants logbook. If that warrant is later removed from the tray during the same night or weekend, a notation to that effect shall be written in the New Warrants Logbook. If served, an executed copy of the warrant (if available) shall also be placed in the clear side pocket tray of the warrants cabinet or at the Customer Service Counter; (for example released on summons).
- e. All warrants stored in the Warrant File Cabinet are placed in individual folders. These folders are for ease of handling and take the place of the warrant sign out log. When removing a warrant from the file, it should be signed for on the outside of the warrant folder. The folder is placed in the clear tray, which can be found attached to the side of the warrant file cabinet. If the warrant is served, the appropriate box should be checked. Returned warrants should be put back in the file in the appropriate folder. Unserved Warrants should not be left in the file on the side of the warrant file cabinet.
- f. After warrant service, the arresting officer must remove the subject from NCIC/VCIN. The victim should be contacted to advise them of service or leave a message for the assigned detective so that the victim can be contacted during the following business day.
- g. At no time should new warrants be placed into the file cabinet. That is to be done by Warrant Unit personnel only.

3. Warrant Withdrawal

- a. Warrants can only be withdrawn with permission from the Commonwealth's Attorney's Office.
- b. Stamp all copies of the warrant with the "Warrant Withdrawn" stamp, which is located in the warrant section cubicle. Have the warrant copies signed in the area indicated on the stamp by an Assistant Commonwealth Attorney; usually the deputy commonwealth attorney. They will keep the original warrants.
- c. Make a copy of the signed warrant and place it into the incoming basket on top of the Warrant File Cabinet.
- d. **REMOVE THE SUBJECT FROM NCIC/VCIN.**

B. Warrant Service

- 1. Warrant Service Considerations - Officers who have arrest warrants in their possession should consider the urgency of such warrants in determining the priority placed on their service. Factors to be considered include, but

are not limited to the:

- Timeliness of the warrant.
- Nature of the offense.
- Seriousness of the offense.
- Mental state of the accused.
- Prior offenses of the accused.
- Likelihood of the individual committing further offenses.
- Probability that the accused may attempt to avoid service of process.
- Probability of the individual fleeing the jurisdiction.
- Development of new information on the whereabouts of the accused.
- Danger to others if the accused is not immediately apprehended.
- Danger to officers if an apprehension is to be made in a particular neighborhood or locality.

2. Fugitive Warrants - The handling of a fugitive arrest is a shared responsibility between the patrol officer, the Warrant Unit, and the Office of the Sheriff. All unserved warrants and summonses will be forwarded to the Warrant Unit per section II.A. of this procedure.
 - a. In accordance with §19.2-73.1, officers may contact an accused individual in reference to an outstanding warrant or summons in Misdemeanor and Class 5 or Class 6 felony cases and request the individual to respond to a designated location for service of the papers. Notification may be made by in accordance with the *Criminal Investigations Section SOP*.
 - b. If the accused does not voluntarily appear pursuant to the notification, there are no additional penalties, and the papers will then be processed in compliance with §19.2-76 and current departmental procedure. The Warrant Unit will maintain records of notification attempts and any disposition resulting from such notification.
 - c. In accordance with §19.2-76, officers may request law enforcement from another jurisdiction within the Commonwealth to serve the warrant and return the arrestee directly to the officer, the Arlington County Magistrate's Office, or the magistrate in their jurisdiction. The officer will decide if notification is to be made prior to forwarding the warrant or summons to the relevant jurisdiction for execution.
 - d. If an officer arrests a subject on local charges and becomes aware that the subject is also a fugitive from another jurisdiction within the Commonwealth, a fugitive warrant shall not be obtained. The officer shall advise the magistrate and the booking deputy in the Detention Center. The Office of the Sheriff is responsible for handling any matters regarding the subject's fugitive status including placing a detainer against the subject in favor of the demanding jurisdiction. The officer shall include the arrestee's fugitive status in their police case report.

- e. Fugitive Arrests with No Local Charges - An officer who detains a subject believed to be a fugitive must confirm wanted status and if the originating agency is willing to extradite.
 - (1) If the originating agency will not extradite, the officer will not make an arrest, but will obtain information from the subject, advise the subject of his wanted status, and forward the information to the demanding jurisdiction via teletype. A Field Investigation report should be completed.
 - (2) If the originating agency is willing to extradite, the officer shall make an arrest and request a copy of the teletype from the Emergency Communications Center (ECC).
 - (a) The officer shall request ECC to fax the teletype to the Detention Center or respond to the ECC to obtain a copy. The officer should complete a Booking Information Sheet and a Criminal Complaint form. These completed forms and the teletype shall be presented to the magistrate at the bond hearing.
 - (b) The officer shall present the arrestee to the magistrate for a bond hearing and request a fugitive warrant. The magistrate has the authority to release the arrestee on bond or commit the arrestee to jail. The original teletype must be attached to the warrant. The officer must complete a police case report titled "Fugitive from Justice" and attach a copy of the teletype to the report.
 - (c) The Office of the Sheriff has the responsibility for court appearances, securing a waiver of extradition from the General District Court and advising the demanding jurisdiction of any future court dates and/or the need to obtain governor's papers. The warrant unit is responsible for follow-up with the Office of the Sheriff as to their notifications.


3. Bench Warrants/ Indictments

- a. Preparation and Request - The primary responsibility for the processing and handling of bench warrants arising from cases presented to the Grand Jury rests with the warrant unit. Upon completion of the case presentation to the Grand Jury, if a bench warrant is required immediately, the officer/detective must contact the Assistant Commonwealth's Attorney handling the Grand Jury rather than the Clerk of the Circuit Court. Direct indictments will automatically result in the issuance of a bench warrant.
- b. The Warrant Unit is responsible for picking up a bench warrant, logging it in and preparation of the necessary forms. Only Warrant Unit detectives are authorized to sign for and collect bench warrants from the Clerk's Office. Any exceptions to this procedure must be authorized by the Chief of Police or his designee.

- c. Processing and Service - Bench warrants arising from direct indictments will then be processed through the warrant unit and may be signed out to the officer/detective who is assigned to or handling the case. The warrant unit will forward a request to the assigned officer/detective for further identifiers of the wanted person, entry into NCIC/VCIN as appropriate, and routing and handling of the warrant.
 - d. Once a request is received by the Warrant Unit, the warrant will be acted on accordingly. It shall be the responsibility of the officer/detective who serves the bench warrant to remove the wanted subject from NCIC/VCIN and inform the Warrant Unit that the warrant has been served. "Service Attempts" under the Warrants Button in Mobile must be completed and the warrant unit will be responsible for canceling all paperwork within the department that indicated the individual was wanted.
 - e. Arrest - When the warrant is served, the arresting officer is required to book the prisoner. A copy of the bench warrant is given to the prisoner; however, **UNDER NO CIRCUMSTANCES ARE ANY INDICTMENTS TO BE GIVEN TO THE DEFENDANT.** The bond has been pre-set by the Circuit Court judge, however a commitment order will be needed from the Magistrate.
- C. Warrant Threat Assessment – An investigative tool designed to assess the safety level of preplanned warrants and mitigate risk by determining the best course of action. A threat assessment matrix is required for any potential warrant service where, based on the information and knowledge at hand, an elevated level of risk may reasonably be inferred or when the supervisor or investigator is seeking the assistance of the Emergency Response Team (ERT).
- 1. Threat Assessment Tool – should be completed by investigators for all preplanned warrant services for violent felonies and elevated misdemeanors. Based on the assessed threat, the level of requested ERT response should be noted on the form. The ERT supervisor will consult with the investigator and/or requesting unit supervisor and make the final decision on the appropriate level of response, based on the information provided.
 - 2. Operations Pre-Plan – should be completed by investigators anytime the Threat Assessment Tool shows an elevated threat level, assistance is requested from the ERT or when determined necessary by the Unit supervisor or investigator.
 - 3. The Threat Assessment Tool and Operations Pre-Plan will be reviewed and approved by the Unit supervisor prior to the briefing of involved personnel.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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536.08 Substance Abuse Programs and Services

I. Policy

All police department employees should be aware of eligibility and admissions criteria for substance abuse programs and services offered by the County and assist persons in need of those services whenever possible.

II. Procedure

- A. Arlington County Detention Facility (ACDF) Based Services - The ACDF offers alcohol and substance abuse assessment, early intervention, prevention, treatment and case management services to those incarcerated to prevent further deterioration and involvement in criminal activities. The ACDF also helps connect individuals to outpatient or residential aftercare settings after their release.
- B. Arlington County Department of Human Services (DHS) – Offers both outpatient and residential substance abuse services for residents in need of services.
 1. [Outpatient Substance Abuse Services](#) – are available at the Behavioral Healthcare building located at Sequoia Plaza, 2120 Washington Boulevard.
 - a. All individuals reporting a substance abuse problem are screened for services.
 - b. Pregnant women are given priority and are seen within 48 hours.
 2. [Residential Program Center \(RPC\)](#) – The RPC is open 24 hours a day, 7 days a week and provides non-medical detoxification, substance abuse recovery, and housing services for the homeless.
 - a. Prior to making an arrest for public drunkenness, an officer may inform an eligible individual of the option to voluntarily choose to be transported to the RPC for admission in a substance abuse program in lieu of arrest. Clients normally complete a pre-screening, but walk-ins are accepted if space is available.
 - b. The focus of the RPC is to assist persons in withdrawing from dependency on alcohol or other drugs. The RPC is not a "drunk tank" for short-term detention of habitual drunkards; treatment can last up to 14 days.

- c. To be considered eligible for treatment at the RPC individuals should meet the following criteria:
 - 1) Arlington resident.
 - 2) Show signs of intoxication or withdrawal.
 - 3) Present no danger or health hazard to self or others.
 - 4) Must be eighteen years of age or older.
 - 5) Not in need of immediate hospital-based medical or psychiatric treatment.
 - 6) Agrees to cooperate and participate in services.
 - d. Prior to transporting an individual to the RPC the officer should have the ECC determine if a space is available. A pat-down search should be conducted of all individuals being transported by an officer to the RPC.
 - e. An individual transported to the RPC is not under arrest and should not be routinely handcuffed. When an individual being transported to the RPC becomes disorderly or decides not to receive treatment, the officer should reassess the situation and employ other appropriate alternative measures.
 - f. The officer should remain at the RPC until the individual has completed the screening process. The officer initiating contact with the individual transported to the RPC will complete a case report entitled DIP/Detox Center.
 - g. No individual should be transported to the RPC after having been arrested for DIP until released from custody by the ACSO.
- C. Drug Turn-In and Treatment Program – **Operation Safe Station** is a collaborative drug turn-in and treatment program administered by the ACPD, ACSO, Office of the Commonwealth's Attorney, and the Department of Human Services. The program offers substance abusers an opportunity to voluntarily surrender drugs and paraphernalia to the police department and enter a drug treatment program without the risk of arrest, prosecution, or jail time. This is a voluntary program; therefore, individuals may leave at any time. Individuals may only participate in this program one time.

Under no circumstances shall an individual attempt to enter the program except when they voluntarily initiate contact and respond to the Magistrate's office to begin the process. Officers approached or contacted about the program may explain the program and direct the individual to the Magistrate's office to begin the process.

- 1. Program Eligibility - Individuals must meet the eligibility requirements below or they will be subject to arrest and prosecution for controlled substance(s) found in their possession.

- a. No outstanding warrants.
- b. No prior convictions for manufacturing, distribution of controlled or imitation controlled substances as well as possession with intent to distribute.
- c. Allows for a consent search of their person and belongings, per the participation agreement.
- d. Does not exhibit signs or actions associated with violent behavior.
- e. Individuals under 18 years' age must be accompanied by a parent or legal guardian who will provide permission for them to participate in the program.
- f. Must not have previously participated in the program.
- g. Voluntarily signs an Arlington County Operation Safe Station Participation Agreement.

2. Primary Officer Responsibilities

- a. Direct or meet the person at the Magistrate's Office.
- b. Notify the on-duty Watch Commander and request that an OCS detective respond to the scene.
- c. OCS shall be contacted and a detective will respond.
- d. Remain with the individual until an OCS detective arrives and determines if the person meets the eligibility requirements.
- e. Review and sign the participation agreement.

3. OCS Detective Responsibilities


- a. Check for outstanding warrants, review the criminal history, and determine if there has been prior participation in the program.
- b. Collect any drugs and paraphernalia and dispose in accordance Manual directive *514.07 Property*.
- c. The OCS detective will contact the Department of Human Services (DHS) and request a Peer Specialist to evaluate the individual as to their suitability for acceptance in the treatment program.
- d. Remain with the participant until transferred to a peer specialist or treatment facility.
- e. Submit a police case report documenting the incident and ensure that program participation is entered into LERMS.

D. Other Treatment Facilities

- 1. [Virginia Code, §18.2-388](#) allows law-enforcement officers to transport public inebriates to a court-approved detoxification center in lieu of arrest; however, there are no court-approved detoxification centers in Northern Virginia.
- 2. Officers will not transport individuals to any detoxification center outside of Arlington County without the approval of a supervisor.



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536.09 Administration of Naloxone

I. Policy

Officers trained in the administration of naloxone, in accordance with this directive, are authorized to use **NARCAN®** (naloxone HCl) nasal spray in an effort to revive the victim of any apparent opioid drug overdose.

II. Definitions

- A. Naloxone HCl – Medication used to reverse the effects of an opioid overdose.
- B. Naloxone Nasal Spray – An individually prepackaged nasal spray ampule containing a single dose of naloxone.
- C. Opioid – Natural, synthetic, or semi-synthetic chemicals that interact with opioid receptors on nerve cells in the body and brain, reducing the intensity of pain signals and feelings of pain. This class of drugs includes the illegal drug heroin, synthetic opioids such as fentanyl, and pain medications available legally by prescription, such as oxycodone, hydrocodone, codeine, morphine, and many others.
- D. Opioid Overdose – Injury to the body (poisoning) that happens when a drug is taken in excessive amounts. An overdose can be fatal or nonfatal.

III. Code Requirements

- A. [§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.](#)
- B. [§ 54.1-3408. Professional Use by Practitioners.](#)

IV. Procedure

- A. General Information
 - 1. Naloxone nasal spray devices will be approved by the Arlington County Fire Department's Operational Medical Director.
 - 2. The Training Lieutenant is the Naloxone Coordinator for the department.
 - 3. Naloxone nasal spray devices will be issued by the Property Management Unit (PMU).

B. Officer Responsibilities

1. Officers shall conduct regular visual inspections of the naloxone nasal spray devices to ensure the protective seal has not been damaged or removed and the unit has not exceeded its expiration date. If one of these conditions exist:
 - a. Place the spray device in an appropriate biohazard disposal bag and discard.
 - b. Obtain a new naloxone nasal spray device from PMU.
 - c. Report any damaged or expired naloxone nasal spray device directly to the Naloxone Coordinator or other Training and Career Development Unit supervisor via email or in-person.
2. In the event an officer administers naloxone, a supervisor should be notified as soon as possible.
3. Officers shall document the use of naloxone in a case report and check the appropriate box under the Tactical Emergency Casualty Care (TECC) button. In the narrative of the report, the reporting officer shall designate if the subject was responsive or not to the administration of naloxone.
4. Prior to the end of shift, the officer should notify the Naloxone Coordinator or other Training and Career Development Unit supervisor and the supervisor of the Organized Crime Section (OCS), Drug Enforcement Unit (DEU) regarding any use of naloxone and provide the case report number.

C. Naloxone Coordinator Responsibility

1. The department's Naloxone Coordinator shall review all police reports documenting the administration of naloxone by an officer and subsequently forward them to the ACFD Operational Medical Director. The ACFD Operational Medical Director shall oversee the Quality Assurance/Quality Improvement program, which is not punitive in nature, but consists of reviewing the outcome of patient care to determine the effectiveness of training specifically related to naloxone interventions in opioid overdoses.

D. Responding to an Opioid Overdose Emergency

1. Upon arriving at a scene of a medical emergency where it has been determined that an opioid overdose has likely occurred officers should consider the following:
 - a. Request EMS and verify they are en route.
 - b. Confirm the scene is safe.
 - c. Utilize universal precautions to protect against bloodborne pathogens and other communicable diseases.
 - d. Assess the patient to determine unresponsiveness and other indicators of an opioid-induced overdose.


- e. Prepare and administer naloxone in accordance with proper [medical and training protocols](#).
- f. Advise the ECC that naloxone has been administered.
- g. Assess and respond based on outcome of first naloxone administration.
- h. Be aware that patients revived from an opioid overdose may regain consciousness in an agitated or combative state and may exhibit symptoms associated with withdrawal. Officers should be prepared to use appropriate defensive control tactics.
- i. Used naloxone nasal spray devices will be discarded in an appropriate biohazard disposal bag.

E. Training

- 1. The Training and Career Development Unit is responsible for coordinating and providing training in the administration of naloxone.
- 2. All personnel will receive the Virginia approved [“Revive!” Lay Rescuer Training](#) prior to the issuance or administration of naloxone nasal spray.
- 3. The Training & Career Development Unit will ensure that officers recertify annually in the administration of naloxone through enrollment in the Revive! Course located on PowerDMS.



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536.10 Diplomatic & Consular Immunity

I. Policy

The police department is fully committed to international law that requires law enforcement officers in the United States to extend certain privileges and immunities to members of foreign diplomatic missions and consular posts. Most of these privileges and immunities are not absolute, and law enforcement officers retain their fundamental responsibility to protect and police the orderly conduct of persons in the United States.

II. Definitions

- A. Consulate – In addition to having an embassy a country may have consulates located in cities throughout the U.S., each of which is headed by a consul general. Consulates generally provide the same services and carry out the same official functions as their embassy.
- B. Diplomatic Immunity - A principle of international law by which certain foreign government officials, in varying degrees, are not subject to the jurisdiction of local courts and other authorities for both their official and, to a large extent, their personal activities.
- C. Embassy – The diplomatic delegation from one country to another. Embassy is often used to refer to the chancery – containing the office of the chief of mission or ambassador – and other buildings for the offices of diplomatic staff.
- D. Personal Inviolability - The highest degree of privileges and immunities bestowed upon a diplomatic agent which prohibits them from being handcuffed (except in extraordinary circumstances), arrested, or detained; and neither their property (including vehicles) nor residences may be entered or searched. Diplomatic agents also enjoy complete immunity from the criminal jurisdiction of the host country's courts and cannot be prosecuted no matter how serious the offense unless their immunity is waived by the sending state.

III. Procedure

The U.S. Department of State (DOS) should be advised promptly of any serious difficulties arising in connection with diplomatic or consular personnel. Diplomats who violate traffic laws should be cited and allegations of serious crimes should be fully investigated and reported to DOS. Diplomatic immunity does not require officers to have a total "hands off" attitude in connection with criminal law enforcement actions involving diplomats, especially in the course of protecting the public welfare during a life-threatening situation.

- A. Persons Entitled to Privileges and Immunities (P&Is) - Personal inviolability is enjoyed to some degree by a majority of foreign diplomatic and consular personnel. DOS, Office of Foreign Missions publication, [Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities](#), is a comprehensive guide to the categories of foreign mission personnel and the P&Is to which each is entitled. Additionally, officers may contact DOS Office of Protocol: Diplomatic Affairs directly with questions regarding immunity issues – click [here](#) for contact information. Contact information will also be found on the reverse of the diplomatic personnel's DOS issued diplomatic driver's license or diplomatic non-driver ID.
1. Diplomatic Personnel – Diplomatic agents, administrative and technical staff, service staff, nationals or permanent residents of the U.S.
 2. Consular Personnel – Consul general, administrative and technical staff, service staff, nationals or permanent residents of the U.S.
 3. Members of International Organizations - International organizations such as the United Nations (UN), International Monetary Fund, World Bank and the Organization of American States are staffed with administrative and executive employees to carry out their functions.
 4. Designated Employees of TECRO and TECO - *Taipei Economic and Cultural Representative Office (TECRO). Taipei Economic and Cultural Offices (TECO).*

The tables below provide a summary of the diplomatic and consular privileges and immunities related to criminal jurisdiction. DOS maintains a similar table entitled [Law Enforcement Aspect Summary](#).

DIPLOMATIC PERSONNEL	Diplomatic Agent	Admin/Tech Staff	Service Staff (2)
Arrested or Detained	No ⁽¹⁾	No ⁽¹⁾	Yes
Enter Residence Subject to Ordinary Procedures	No	No	Yes
Issued a Traffic Citation	Yes	Yes	Yes
Subpoenaed as a Witness	No	No	Yes
Prosecuted	No	No	<i>Official acts immunity; Consult USDS</i>
Recognized Family Member	<i>Full immunity and inviolability.</i>	<i>Full immunity and inviolability.</i>	<i>No immunity or inviolability.</i>

CONSULAR PERSONNEL	Career Consular Officers	Honorary Consular Officers	Consular Employees
Arrested or Detained	<i>Yes, if for a felony and pursuant to a warrant</i>	Yes	Yes (2)
Enter Residence Subject to Ordinary Procedures	Yes (4)	Yes	Yes
Issued a Traffic Citation	Yes	Yes	Yes
Subpoenaed as a Witness	<i>No for official acts, and testimony may not be compelled in any case.</i>	<i>No for official acts, yes for all others.</i>	<i>No for official acts, yes for all others</i>
Prosecuted	<i>No for official acts. Yes, otherwise. (2)</i>	<i>No for official acts. Yes, otherwise.</i>	<i>No for official acts. Yes, otherwise. (2)</i>
Recognized Family Member	<i>No immunity or inviolability. (2)</i>	<i>No immunity or inviolability.</i>	<i>No immunity or inviolability. (2)</i>
MEMBERS OF INTERNATIONAL ORGANIZATIONS	International Organization Staff	Diplomatic-Level Staff of Missions to International Organizations	Support Staff of Missions to International Organizations
Arrested or Detained	Yes (3)	No (1)	Yes
Enter Residence Subject to Ordinary Procedures	Yes (3)	No	Yes
Issued a Traffic Citation	Yes	Yes	Yes
Subpoenaed as a Witness	<i>No for official acts. Yes, for all others.</i>	No	<i>No for official acts. Yes, for all others</i>
Prosecuted	<i>No for official acts. Yes, otherwise (3)</i>	No	<i>No for official acts. Yes, otherwise.</i>
Recognized Family Member	<i>No immunity or inviolability</i>	<i>Full immunity and inviolability</i>	<i>No immunity or inviolability</i>
TECRO/TECO	TECRO Designated Employee	TECO Head/Deputy Head	TECO Designated Employee
Arrested or Detained	No	<i>No, except in the case of a felony and pursuant to a warrant</i>	Yes
Enter Residence Subject to Ordinary Procedures	No	Yes	Yes
Issued a Traffic Citation	Yes	Yes	Yes

CONSULAR PERSONNEL	Career Consular Officers	Honorary Consular Officers	Consular Employees
Subpoenaed as a Witness	No	No; for official acts Yes; in all other cases	No; for official acts Yes; in all other cases
Prosecuted	No	Official acts immunity. Consult AIT.	Official acts immunity. Consult AIT.
Recognized Family Member	Immunity from criminal jurisdiction arrest and detention	No immunity or inviolability	No immunity or inviolability

- (1) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or prevention of serious criminal acts.
- (2) This table presents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (3) A small number of senior officers are entitled to be treated identically to “diplomatic agents”.
- (4) Note that consular residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

B. Verifying Status and Identity - The United States Department of State issues identification documents to foreign government personnel who are entitled to immunity.

1. **DOS Identification Cards** - Officers should carefully read identification cards presented to them as it contains the degree of immunity the bearer enjoys. Their responsibility is to assure that the appropriate degree of immunity is afforded once the person concerned has been precisely identified. Samples of DOS issued identification cards are provided [here](#).
 - a. When an officer is called to the scene of a criminal incident involving a person who claims diplomatic or consular immunity, the officer must verify the status of the suspect.
 - b. In all cases, including those in which the suspect provides a U.S. Department of State-issued identification card, the officer should verify the suspect’s status by contacting the DOS or, in the case of the UN community, with the U.S. Mission to the United Nations.
 - c. Should the person be unable to produce satisfactory identification and the situation is one that would normally warrant arrest or detention, the officer should detain the individual until their identity can be confirmed.
 - d. Foreign diplomatic passports, U.S. diplomatic visas, tax exempt cards, automobile registration, license plates, and driver’s licenses are not conclusive for immunity.
2. **DOS Automobile Registration, License Plates, Driver’s Licenses** - The Department of State issues motor vehicle registrations and driver’s licenses to all persons entitled to privileges and immunities in the United States. The license plates are coded with prefix letters to correspond generally with the degree of immunity to which the owner or principal

operator is entitled. Samples of DOS issued license plates can be viewed [here](#).

- a. Prefix (D) issued to diplomatic missions and those members who hold diplomatic rank.
- b. Prefix (S) issued to the administrative/technical staff at diplomatic and consular missions.
- c. Prefix (C) issued to consular missions and career consular officers.
- d. Prefix (A) issued to official vehicles of the UN and the Organization of American States and the personally owned vehicles of those staff members who have diplomatic status.

The U.S. Department of State's distinctive license plates are designed to assist officers in identifying vehicles that belong to foreign mission and those mission members who may enjoy some degree of immunity. However, those plates alone should not be considered verification of the status of the vehicle's operator.

C. Handling Police Related Incidents

1. Criminal Incidents – While police officers are obliged under international law to recognize the immunity of diplomatic and consular personnel they must not ignore or condone the commission of a crime since there is still the possibility of prosecution. Even if the person has full criminal immunity the U.S. Department of State will request a waiver of immunity in every case where the prosecutor advises that, but for diplomatic immunity, charges would be pursued. The ability to secure such a waiver often depends on the strength and documentation of the case.
 - a. All criminal incidents involving diplomatic or consular personnel should have a supervisor dispatched to the scene as soon as practical and shall be fully investigated and documented in a case report.
 - b. The burden to claim privileges and immunities is always on the individual diplomat or consular personnel. Although, an officer must verify the identity of any person claiming diplomatic or consular immunity and may reasonably detain the person until their identity is confirmed; they may not be handcuffed, except if they pose an immediate threat to safety.
 - c. When it has been confirmed that the subject enjoys personal inviolability and all pertinent identifying information has been obtained the person must be released immediately.
 - d. They cannot be searched; their property (including automobiles) cannot be searched or impounded; their residence may not be entered or searched without their consent; and offices or annex buildings used by a foreign government may not be entered or searched without consent. But, recovered stolen property and/or contraband should be seized and turned into the Property Management Unit as evidence.

- e. A case report will be completed with all the information regarding the identity of the diplomat, name of the embassy or consular post, vehicle description, diplomatic status, and facts surrounding the incident. The term "Diplomatic Personnel" should be included in the title of the report and a copy of the report will be forwarded to the Operations Division Commander.
 - f. If an individual is accused of committing a felony, or in extreme cases involving public safety, the supervisor in charge should notify the U.S. Department of State immediately and advise them that a copy of the case report is available upon request from the Office of Professional Responsibility.
2. Traffic Enforcement - Stopping a mission member or dependent and issuing a traffic citation does not constitute an arrest or detention and is permitted. However, the subject may not be compelled to sign the citation. A copy of the VUS should also be forwarded to the U.S. Department of State as soon as possible. The VUS should be marked "DIPLOMAT" in the top right corner and a copy forwarded to the Operations Division Commander. Prior to the court date, the officer should advise the Commonwealth's Attorney's Office that the case involves a diplomat.
3. Driving While Intoxicated - the primary consideration in a D.W.I. incident is to assure that the driver does not endanger himself/herself or the public. A sobriety test may be offered in accordance with normal police department procedures, but cannot be required or compelled. A supervisor should immediately be dispatched to the scene. If the individual is intoxicated, the officer shall not permit the individual to continue driving. The following options may be considered depending upon the circumstances:
- a. A friend, relative, or taxi may be summoned to drive the individual home.
 - b. With the individual's permission, he/she may be taken to the police department or another location to recover sufficiently to drive.
 - c. Upon the approval of a supervisor, the individual may be transported home by a police officer.
 - d. In extreme cases, the Department of State Protocol Office should be notified immediately. The Protocol Office shall be responsible for notifying the respective embassy.
 - e. Should the diplomat refuse the above options, he/she shall be transported to police headquarters to wait arrival of an embassy or State Department official. For purposes of officer safety, a pat down search may be conducted prior to transport and only in extreme cases may the diplomat be restrained in any manner.


4. Parking Violations - Vehicles bearing valid DOS issued diplomatic plates may be issued a parking ticket if found to be in violation of Arlington County's Parking Regulations; however, such vehicles will not be impounded or booted for the failure to pay the parking tickets.

A vehicle bearing valid DOS issued diplomatic plates which is endangering public safety or obstructing traffic may be towed to the nearest legal parking space at the police department's expense. If this is not practical the vehicle may be taken to the Police Impound Lot for safekeeping. The impound form should be marked "Diplomat" and the vehicle should be released to an authorized person free of charge.

- D. Termination of Immunity - With the exception of immunity for official acts (which exists indefinitely), criminal immunity expires upon termination of the diplomatic or consular tour of the individual enjoying the immunity. Therefore, obtaining an indictment, information, or arrest warrant could be the basis for prosecution at a later date (e.g., if the diplomat returns to the U.S. at a later date in a private capacity). Moreover, the existence of an outstanding warrant may be entered into NCIC and thus serve to bar the subsequent issuance of a U.S. visa permitting such person to reenter the United States.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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536.11 Arrest, Detention, Death, and Serious Injury of Foreign Nationals

I. Policy

The policy of the police department is to comply with all United States treaty obligations on consular notification and access. These are mutual obligations that also apply to foreign authorities when they arrest or detain U.S. citizens abroad. In general, you should treat a foreign national as you would want a U.S. citizen to be treated in a similar situation in a foreign country.

II. Definitions

- A. Consular Notification – Foreign nationals arrested or detained, may request to have their consular officers notified of their arrest or detention. Some countries, consular officers must be notified of the arrest or detention of a foreign national even if the foreign national does not request or want notification.
- B. Foreign National - Any person who is not a U.S. citizen; same as “alien.” Aliens who are lawful permanent U.S. residents have been issued a resident alien registration card (“green card”). Undocumented or “illegal” aliens are also foreign nationals.

III. Procedure

- A. Consular Notification - In most criminal cases involving foreign nationals the decision as to whether a consular officer should be notified is for the foreign national to make, unless the foreign national is from a “mandatory notification” country. In this case the nearest embassy or consulate must be notified if one of their nationals is arrested or detained, regardless of whether the national requests or wants consular notification. See U.S. DOS - [Consular Notification and Access](#) manual for additional information.
 - 1. Traffic Stop - A brief traffic stop or an arrest resulting in a VUS for a misdemeanor and release at the scene does not trigger a notification requirement.
 - 2. Arrest or Detention – Whenever a foreign national is arrested or detained the arresting officer is responsible for implementing the notification process. A list of consular offices and embassies can be found on the DOS [Diplomatic List Index](#) or by contacting the [U.S. State Department of State](#) directly.
 - a. Mandatory Notification - [Countries and Jurisdictions with Mandatory](#)

Notifications

- Step 1. Determine the foreign national's country of nationality.
- Step 2. Inform detainee that you must notify their consulate of their arrest/detention without delay.
- Step 3. Notify nearest consulate or embassy of the arrest or detention via fax; use an ACPD fax cover sheet and include the following additional information on a separate page ([see example](#)):
- Date
 - Embassy/Consulate name and location.
 - Full name, DOB, POB of arrestee.
 - Country issuing passport and passport number.
 - Criminal charges.
 - Contact number for arresting officer.
 - Case number
- Step 4. Make a record of the notification in the case report.
- Step 5. Advise consular officer to contact the ACSO for access to detainee.


b. Non-Mandatory Notification

- Step 1. Determine the foreign national's country of nationality.
- Step 2: Determine if detainee wants their consulate notified about their arrest/detention. Do not inform consulate if answer is "No."
- Step 3. If yes, notify nearest consulate or embassy of the arrest or detention via a fax. Use an ACPD fax cover sheet and include the following additional information on a separate page ([see example](#)):
- Date
 - Embassy/Consulate name and location.
 - Full name, DOB, POB of arrestee.
 - Country issuing passport and passport number.
 - Criminal charges.
 - Contact number for arresting officer.
 - Case number
- Step 4. Make a record of the notification in the case report.
- Step 5. Advise consulate to contact the ACSO to arrange for access to detainee.

- B. Death or Serious Injury of Foreign Nationals - When a foreign national dies or is seriously injured consular notification shall be made to the respective embassy or consulate as soon as reasonably possible - contact the [U.S. State Department of State](#) for assistance. Notification will be documented in the case report.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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537.02 Emergency Evacuations

I. Policy

The Arlington County Police Department's primary objective when conducting the emergency evacuation of a threatened area is the protection of life. This is accomplished by establishing procedures for the orderly and swift evacuation of the affected civilian population, while at the same time ensuring that emergency personnel and equipment can respond to the affected area with a minimum of delay so as to mitigate or eliminate the conditions requiring evacuation.

II. Procedure

A. Initial Response to Potential Emergency Evacuation Event

1. Watch Commander's Responsibilities - Watch Commanders who are notified of an incident or threat that may require an emergency evacuation shall perform the following duties:
 - a. Personally respond to the scene of a potential emergency evacuation, in order to supervise the deployment of police department resources.
 - b. Employ the Incident Command System (ICS) and establish a primary staging area for initially responding personnel.
 - c. The Watch Commander shall establish a command post and activate other appropriate aspects of the ICS if the fire department has not yet arrived in accordance with Manual directive *570.01 Incident Command System*.
 - d. If the fire department has already arrived at the scene and established a command post, the Watch Commander (or another police supervisor delegated in his place) shall respond to that command post to provide assistance and establish a police department incident liaison.
2. Incident Commander's Responsibilities
 - a. Establish a staging area a safe distance from, and upwind of, the incident scene if evidence indicates officers may be exposed to radiological, biological, or chemical contaminants - minimum perimeter distances for radiological incidents are found in Manual directive *573.02 Hazardous Material Incidents*.
 - b. Notify the ECC of the location of the primary staging area, and direct responding units to that location, with explicit instructions to avoid passing near the incident site while en route.

- c. Ensure that a perimeter is established around the incident scene, and deploy a sufficient number of officers to this perimeter to ensure that unauthorized persons do not enter contaminated or threatened areas. The Incident Commander shall also ensure that the perimeter boundaries are periodically broadcast over all active police radio channels. (If fire department officials are already on the scene, the Incident Commander shall seek their guidance regarding the appropriate perimeter location).
- d. Establish and secure response routes for emergency personnel and equipment.
- e. If necessary, establish a secondary staging area for emergency responders to assemble who are not initially dispatched to the scene of the incident. The Incident Commander shall ensure that the ECC is aware of the location, and directs all supplemental emergency response to this site. The Incident Commander shall also assign an officer to the secondary staging area to coordinate assignment of emergency assets from the secondary staging area to the incident site.
- f. Establish and secure evacuation routes for the affected civilian population.
- g. Coordinate the establishment of a decontamination/quarantine site for the affected civilian population if needed.
- h. Request and coordinate the establishment of emergency shelters if needed.
- i. Ensure that appropriate notifications are made within the police department, and also that notifications are made to other County agencies, such as the Office of Emergency Management, in accordance with the [Emergency Operations Plan](#).

3. Responding Officers' Responsibilities

- a. Report to the Incident Commander for Assignment – Unless otherwise directed by the Incident Commander, officers shall respond to a staging area for deployment upon notification that they have been assigned to an emergency evacuation incident.
- b. Observe and Report Conditions - As officers respond toward the staging area, they shall be alert for indicators that may help identify the geographic areas where contamination may be present. When such indicators are found, they shall immediately report them to the ECC.

These indicators may include:

- 1) Mass casualties - numerous individuals exhibiting unexplained serious health problems ranging from nausea, disorientation, difficulty breathing, miosis (pinpoint pupils), salivation, uncontrollable defecation and urination, convulsions, or death.
- 2) Blisters/rashes - individuals experiencing unexplained water-like blisters, wheals (like bee stings), and rashes.

- 3) Unexplained odors - avoid breathing odors from undetermined chemical sources; most chemical weapons are effective via the respiratory system. Smells range from sweet to pungent. It is important to determine whether the particular odor is completely out of character with its surroundings.
 - 4) Low-lying vapor clouds - low-lying vapor clouds or fog like condition that cannot be explained.
 - 5) Unusual liquid droplets - exposed surfaces exhibit oily droplets or film.
 - 6) Dead animals or plant life - numerous dead animals, or vegetation that is dead or discolored.
 - 7) Abandoned spray devices, unusual debris or mechanical devices that look out of place in the surroundings.
- B. Evacuation Procedures - Normally, the fire department determines whether to evacuate an area or building. The police department's role is to assist in implementing the fire department's decision. However, prior to the arrival of the fire department, police personnel may perform an emergency evacuation if an immediate threat to human life appears to exist and the officers can perform the evacuation without knowingly entering a contaminated zone. If emergency evacuation becomes necessary, care shall be taken to remove victims along a route that does not inadvertently expose them to higher levels of contamination.
1. The Incident Commander shall designate a team leader to search each evacuation area in order to carry out the evacuation. This may be any sworn member of the department regardless of rank. Search/evacuation areas may be cleared using one of the following search techniques:
 - a. Floor to floor.
 - b. By block - recommended for outside evacuations. Good for smaller scale operations with limited resources.
 - c. By sectors - recommended for large scale evacuations where clear barriers are difficult to draw.
 - d. Other techniques known to the Incident Commander
 2. All search teams shall report to the Incident Commander or the Incident Commander's designee for assignment. Each team member will enter the evacuation area with a clear set of instructions and will be given the following information:
 - a. The identity of their team leader and a designated radio channel for operations.
 - b. Established evacuation routes and assembly sites for civilian decontamination if needed.
 - c. Time constraints which exist, i.e. detonation time.
 - d. Anticipated size of the population.


- e. Intelligence suggesting additional threats.
 - f. The location of emergency shelters and aid sites.
3. If the targeted evacuation area is relatively small (e.g. the floor of a building, business, school, etc.), the voluntary assistance of the site's employees/residents, or other persons familiar with the location's layout, shall be requested so that the safest and most expeditious means of evacuation may be employed. These personnel shall themselves evacuate the site as soon as their assistance is no longer necessary.
 4. If the targeted evacuation area is relatively large (e.g. a cluster of buildings, neighborhoods/sections of the County, the entire County itself, etc.) it may not be possible to personally notify each member of the affected population of the evacuation. Accordingly, every effort should be made to use alternate methods of notification such as the Everbridge Alerting System, Emergency Subscriber Listing, and the Emergency Alert System, as well as more traditional methods such as loudspeakers and police vehicle public address systems.
 5. If the targeted evacuation area contains individuals with special needs (e.g. individuals unable to evacuate without assistance such as the elderly, young children, non-ambulatory, etc.), additional resources may be needed to assist in their evacuation. Resources available to assist with the evacuation of individuals with special needs include, but are not limited to:
 - a. EMS Medic Units.
 - b. Arlington Chapter of the Red Cross.
 - c. WMATA/Arlington County buses with wheelchair lifts.
 - d. Military vehicles from surrounding military facilities.
 6. If any person refuses to evacuate, that person shall be advised of the risks and strongly urged to comply. However, such person shall not be forcibly evacuated against his or her will.
 7. If evacuation is deemed too risky, occupants of the threatened site may be directed to shelter in place (e.g., remain in a room or other enclosure that provides some measure of protection from flying glass and debris, etc). Officers shall be instructed to don PPE gear.
 8. Police personnel should be stationed in such a manner to prevent anyone from re-entering an area once it has been evacuated.
 9. It is imperative that search teams keep the ECC apprised of their locations and status at all times, in order that the Incident Commander may be aware of all resources at his disposal.
- C. Post-Evacuation Procedures - Evacuated individuals in need of decontamination due to exposure to radiological or biological material shall be assembled at the decontamination site, in order that decontamination and/or medical assessment may be performed. Officers should discourage exposed

individuals from leaving the decontamination site without an evaluation by a competent authority (e.g., fire department, health department, medical personnel, etc.). Refer to Manual directive *573.03 Medical Quarantines and Seizures* for further information relating to this subject.

Evacuated individuals not in need of decontamination should be directed to emergency shelters (if established). Officers should maintain a perimeter around the evacuated area to prevent unauthorized re-entry of evacuees and looters.



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537.06 Police Canine

- I. Policy** - Police canines enhance law enforcement activities in numerous ways, including tracking, detection, building and structure searches, suspect apprehension, and evidence recovery. The use of canines in law enforcement; however, can be considered use of force and is subject to Manual directive 538.04, Use of Force.
- II. Procedure**
 - A. Organization and Assignment - Police canine officers are assigned to the Canine Unit within the Operations Division, and fall under the administrative supervision of the Canine Sergeant. While not engaged in actual canine deployment, canine officers shall perform preventive patrol and serve as back-ups on calls for service. However, canine officers shall not be dispatched to routine calls that might place them out of service for extended periods.
 - B. Requests for Canine Unit Assistance
 1. Officers at the scene of an incident inside Arlington County may request the assistance of a canine team without supervisory approval. For deployments outside Arlington County (e.g., mutual aid requests from another agency or deployment following fresh pursuit into another jurisdiction), approval of the Watch Commander or the Canine Sergeant is required prior to dispatch of the canine team.
 2. Prior to the arrival of the Canine Unit, officers shall take appropriate steps to prevent scent contamination of geographic areas, vehicles, or articles and shall not permit any person (including police officers) to enter the area or conduct preliminary hand-searches. The canine handler shall be advised if an entry or search was performed prior to their arrival at the scene.
 - C. Deployment Authority - Unless otherwise prohibited by a supervisor, the decision to deploy a canine remains with the canine handler. This decision shall be based upon the totality of the circumstances present including:
 1. Handler experience and training.
 2. Canine ability.
 3. Situation circumstances/safety.
 4. Urgency of the incident.
 5. Severity of the crime.
 6. Threat of suspect to officers and public.

D. Deployment Methods and Restrictions - Canines are authorized for deployment in a variety of situations, listed below. Regardless of the type of deployment, the canine handler shall select a deployment method that minimizes the risk of injury to officers, the public, suspects, and public safety personnel, and for subsequently executing that method in a safe and appropriate manner. The types of deployment performed by ACPD canines include:

1. Building Searches - Upon the discovery of a possible burglary, including, but not limited to, such observable evidence as broken windows, latches, or doors that appear to have been forced or tampered with, the officer assigned should request the assistance of a canine team to conduct a building search, unless the officer has clear evidence that the original suspicion is unfounded or that the building is free of any suspect.
 - a. The mere fact that a building or residence is found open without further evidence of a breaking or motion inside of the building will not generally merit a canine search of the building.
 - b. Canines may be deployed on-lead or off-lead during building searches based upon the individual handlers training and experience. To ensure that innocent persons are not harmed during a building search, the following procedures shall be followed:
 - (1) Any officer in possession of information suggesting the potential presence of innocent persons (e.g., knowledge of past scheduled events or the work hours of cleaning crews, etc.) shall make this information known to those involved in the incident and to the canine handler prior to the insertion of the canine team.
 - (2) Where tactically feasible, an attempt shall be made to contact the building owner or custodian prior to the insertion of the canine team, in order to determine whether any legitimate users of the building are scheduled to be inside. Depending upon the tactical situation, this attempt may include calling to a telephone within the building that is to be searched.
 - (3) Whenever a canine team is entering or leaving a building they will broadcast that information on the police radio.
 - (4) Radio traffic on affected channels shall be kept to a minimum while the building search is in progress.
 - (5) A police canine warning shall be loudly announced when a canine team enters a building and consists of three components:
 - (a) Identification/Authority - Police Canine.
 - (b) Request for surrender - Announce and show yourself.
 - (c) Consequences for not surrendering - Canine will be released.

The warnings should be repeated in areas where the primary warning may not have been heard. A warning may only be withheld in the event that there is a reasonable belief that specific officer safety issues would be created by the giving of a warning.

- (6) Once the canine team has entered the building, police officers on the perimeter shall ensure that no other persons are permitted to enter until the canine handler has declared the scene to be secure. This denial of entry applies not only to building owners and citizens, but also to police officers, paramedics, and firefighters, etc.
2. Tracking - Canines may be deployed to track suspects and missing persons, subject to the following requirements:
 - a. The pursuit of suspects fleeing the scene of a crime is initially the responsibility of the first officer on the scene. Once the officer has lost sight of the suspect, the officer should request canine assistance. It is important that the officer identify the location where the suspect was last seen, so that the police canine can pick up the scent as soon as possible. The area where the track is to begin must remain uncontaminated to ensure that the canine will have the best opportunity to obtain the suspect's scent. Therefore, any and all unnecessary walking over the area must be avoided.
 - b. Canines have the capability to track and search for specific persons based on scent (scent-specific tracking). For this reason, any items left behind that were known to be handled by the person being sought should be protected against cross contamination by other people.
 - c. Canines can be used to great advantage in searching for missing persons as well as physical evidence or property that may have been recently handled. The principles regarding the marking of the location and protection of the scene are the same as those set forth above.
 - d. Canines may be used as a tool in locating the person being sought. When using a patrol dog to track, canine handlers will exercise caution to minimize the possibility of an unintended bite, particularly when tracking for those persons only suspected of a minor criminal offense or when no offense has been committed, such as an endangered missing person.
 - e. The police bloodhound is the preferred tool to employ to search for missing persons because Bloodhounds are not trained to apprehend suspects and are unlikely to unintentionally bite a person. Patrol dogs go through extensive training, but the possibility of an unintentional bite always exists. There are times, however, when the risk of not finding the missing person outweighs the risk of the potential bite. Some factors to consider when evaluating whether to use a patrol dog to search for a missing person are:
 - (1) The mental capacity of the missing person (age, Alzheimer's, dementia, other disability, etc.).
 - (2) Age and health of the person (young and elderly are more prone to the risks of exposure).
 - (3) The weather conditions.

- (4) The clothing that the person was last seen wearing.
 - (5) The length of time the person has been missing.
 - (6) The time that it will take for a bloodhound to arrive on the scene.
- 3. Article Searches - Canines may be deployed to search for evidence or other physical objects, subject to the following requirements:
 - a. Handlers may deploy canines to locate articles/evidence' on-lead or off-lead, depending upon the unique requirements and conditions of the search in question. Generally, off-lead article searches shall occur only in undeveloped areas (e.g., woods, open fields), but may occur in buildings or other developed locations if the search zone has been effectively secured against access by the public.
 - b. Normal radio traffic on affected channels is permitted during an article search unless the canine handler makes a specific request for radio discipline.
- 4. Apprehension - The use of a canine for an apprehension must be in compliance with *Manual directive 538.04, Use of Force*. In the event that a police canine apprehends a suspect by biting and holding, the canine handler must reduce the use of force as appropriate in response to the subject's compliance with the canine handler's commands. Only that amount of force necessary to achieve a lawful intended result should be used when deploying a canine under the direction of its handler.
 - a. There are a number of factors that canine handlers must consider when evaluating the use of a patrol dog for apprehension:
 - (1) The severity of the alleged crime.
 - (2) Whether the suspect poses an immediate threat to safety of law enforcement personnel or others, including whether the suspect is known to be or may be armed with any weapon or any other object that could be used to inflict serious physical injury.
 - (3) The degree to which the suspect resists arrest or detention.
 - (4) Any attempt by the suspect to evade arrest by flight or concealment.
 - b. Under the direction of its handler, a canine may be employed in any situation in which the use of non-deadly physical force is reasonably necessary to:
 - (1) Prevent escape from lawful custody, to effect an arrest or an investigative stop of a person reasonably suspected of committing a criminal offense, or to prevent any person from being injured.
 - (2) Defend the canine handler or any other person from assault, or what the canine handler reasonably believes to be physical resistance while effecting or attempting to prevent an escape from lawful custody,

5. Substance Detection - A canine may be deployed to detect narcotics and/or explosives, provided that it has received the requisite training for the substance in question. Such deployments shall be performed in accordance with applicable search and seizure case law, and shall respect the constitutional rights of all involved citizens.
6. Crowd Control - Canines shall not be used for crowd control purposes.
7. Site Security - Canines may be deployed to specific sites for purposes of building security, anti-terrorism patrol, and similar zone-based activities. The operating procedures for such assignments shall be defined by the official ordering the deployment, and shall be communicated to the canine handler prior to (or upon) the canine team's arrival at the site.
8. Public Demonstrations - Canines may be deployed in public demonstrations or shows where the skills and capabilities of the canine are exhibited to the public. When these demonstrations involve off-lead maneuvers, the handler shall exercise strict control over the canine and ensure that the public is not endangered.

In addition to the above deployments, canine handlers may perform routine foot patrol with their canines, provided that the canines are on lead and under the control of the handler.

E. Patrol Officer's Interaction with Canines - Canines may not perceive uniformed police officers to be friendly to the canine handler or to the canine mission. Consequently, non-canine officers shall exercise caution when operating in the vicinity of a canine, and shall not:

1. Attempt to pet a police canine, verbally call out to it, or willfully agitate it in any fashion.
2. Move into close proximity to the canine or its handler, or make physical motions or gestures toward the canine or its handler. Wherever possible, non-canine officers shall maintain a safe distance from a canine unless specifically instructed to do otherwise by the canine handler.
3. Become physically involved with any suspect against whom a canine is presently engaged, or who is being tracked by a canine. In this respect, officers shall not attempt to arrest, handcuff, search, or otherwise control such a suspect, and shall not attempt to "cut off" the suspect's path of escape during a canine track or pursuit. Patrol officers may take control of a canine-apprehended suspect only after the canine handler has given explicit authorization for the patrol officer to assume control.
4. Routinely attempt to secure or control a canine if the handler becomes incapacitated. In such situations, the following guidelines apply:
 - a. As a first resort, officers should request that another canine handler respond to the scene and secure the canine. This handler may be on-duty or off-duty, and may be from ACPD or another agency. If another canine handler is unavailable, an Animal Control Officer may be utilized as an alternative.

- b. If the situation is urgent and immediate action must be taken, an officer should place a “bite sleeve” or other heavy padding around his or her arm, and engage the canine in such a manner that it bites the padding. While the canine is thus engaged, other officers should:

- (1) Rescue the incapacitated handler.
- (2) Attempt to leash the canine to a fixed object or maneuver the canine back into the canine vehicle.

NOTE: While it may become necessary to apply lethal force against a canine in order to rescue an imperiled handler or citizen, the application of such force should be considered as a last resort, applicable only in extremely serious situations.

F. Bites, Injuries and Notifications - Whenever any person is bitten by a police canine, or is otherwise injured as a result of a canine deployment, regardless of whether the bite or injury was intentional or accidental, the following procedures apply:

- 1. An ambulance or medic unit shall be requested in order to transport, treat, or assess the bitten or injured person, as appropriate. If the injury is minor and the victim is a police officer, this requirement may be waived at the officer's request.
- 2. The Watch Commander shall be immediately notified.
- 3. If the supervisor of the Canine Unit is on duty they will be notified immediately, regardless of the extent of injury. If the supervisor of the Canine Unit is off-duty, immediate notification shall occur only if the bite or injury is judged to be serious.
- 4. All canine bites, regardless of seriousness, must immediately be documented and forwarded through the canine supervisor's chain of command to the Deputy Chief of Operations.
- 5. A police agent shall take photographs of all areas of the body that were bitten, regardless of whether actual injuries are visible. The incident shall be reported in accordance with the reporting requirements of directive 538.04 Use of Force section II.K. Injuries and Reporting Requirements.

G. Storage and Handling of Narcotics Training Aids


- 1. Narcotics used for training by the Canine Unit are typically obtained from the U.S. Drug Enforcement Administration (DEA). Upon delivery to the Canine Unit all drugs assigned to the canine program shall be labeled, weighed, documented on a property sheet, and clearly described in a memorandum attached to the property sheets. Copies of the memorandum and all property sheets shall be kept by the canine drug trainer, the Canine Unit supervisor, and the property unit supervisor.
- 2. The drugs will be packaged and labeled for easy identification and tracking purposes, The name of the drug and its weight shall be clearly marked on the outside of the packaging.

3. All canine training narcotics aids will be kept in a locked storage unit located in a secure room with limited access within the department or other facility approved by the Chief of Police. Access to the secured room is limited to the Canine Unit patrol commander, sergeant, and handlers.
 4. A logbook is maintained within the locked storage unit and each entry shall include the officer's name and DID number, date and time out/in, narcotics aid(s) removed, and the location(s) where training occurred.
 5. Damaged training aids will be reported to the Canine Unit supervisor as soon as possible who will determine any necessary course of action.
 6. An inventory of all drugs shall be conducted monthly by the canine drug trainer along with a second canine drug handler. After each inventory, a memorandum will be forwarded to the Operations Division Commander verifying the status of the narcotics. Copies of inventories shall be kept in the narcotics storage cabinet and by the Canine Unit supervisor.
 7. Other drugs obtained from the department's Organized Crime Section may only be used with prior written approval by the Chief of Police. It should be noted that any narcotics stored in the approved drug cabinet are subject to inspection by the State Board and/or DEA, regardless if the drugs were supplied by either group.
 8. The destruction and disposal of a narcotic training aid will be documented in a memorandum to the Operations Division Commander. Additionally, property forms will be completed regarding drug destruction and the copies are to be maintained indefinitely by the Canine Unit supervisor.
 9. The Office of Professional Responsibility will conduct and document an unannounced annual inventory of narcotics/drugs used for canine training as directed by the Chief of Police.
- H. Inspections and Reports - Each January, the supervisor of the Canine Unit shall prepare and submit to the Chief of Police an annual report that:
1. Reports the number and types of deployments (including mutual aid deployments) during the past calendar year.
 2. Documents the training for each canine and each handler during the past calendar year.
 3. Lists all formal certifications held by (and/or state-mandated standards met by) each canine team or animal.
 4. Assesses the general capabilities and performance of each canine team during the past calendar year.
- I. Miscellaneous Topics -The supervisor of the Canine Unit shall publish a Canine Unit SOP (standard operating procedure) with additional procedures and regulations pertaining to canines. Personnel having a need for additional information should consult that SOP. This SOP shall address, at a minimum:

1. Procurement, training, and testing of canines.
2. Handler training and qualifications.
3. Care, maintenance, and disposition of canines.
4. Canine-related expenses and handler reimbursement.
5. Call-back, overtime, and notification policies, etc.
6. Additional operating procedures, as may be appropriate.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 18, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): N/A			

538.02 Armed Citizen Encounters

I. Policy

An officer who comes in contact with a person carrying a handgun should first and foremost use caution and good judgment; remembering that not everyone carrying a weapon is a criminal, but that criminals carrying weapons are considered a dangerous threat to law enforcement officers as well as the community.

Individuals exercising their right to openly carry a handgun within Arlington County should not be subject to investigatory detention unless an officer has reasonable suspicion that the aforementioned individual has committed or is about to commit a crime. However, nothing within this Manual section is intended to prevent an officer from approaching an individual openly carrying a handgun for purposes of engaging them in voluntary conversation regarding the circumstances of the carry.

II. Code Requirements

- A. §18.2-308. Carrying concealed weapons; exceptions; penalty.
- B. § 18.2-308.01. Carrying a concealed handgun with a permit.
- C. § 18.2-308.012. Prohibited conduct.
- D. § 18.2-308.014. Reciprocity.

The [Code of Virginia, Title 18.2, Chapter 7](#). Crimes Involving Health and Safety, Articles 4 through 7, includes a comprehensive listing of laws pertaining firearms.

III. Definitions

- A. Open Carry – A handgun which is being carried while not hidden from common observation by an individual legally entitled to possess a firearm.
- B. Handgun - Any pistol or revolver or other firearm, except a machine gun, originally designed, made and intended to fire a projectile by means of an explosion from one or more barrels when held in one hand.
- C. Reciprocity – Agreements among states where each state honors the other state's concealed carry permit.

IV. Procedure

- A. Carrying or Transporting Firearms - When a person, other than a law-enforcement official, is discovered to be in possession of a handgun during the course of an investigatory detention, the officer may take control of the handgun and then determine whether the individual is carrying the handgun legally as part of the officer's investigation into suspected criminal activity.
1. Open Carry – No permit is required, nor is it illegal, for an individual to openly carry a handgun within Arlington County provided that the individual has not been convicted of a crime which would prevent them from possessing a firearm. If it is determined that the individual has no known felony convictions, active protective orders, or mental health disqualifiers, in any jurisdiction, the subject should be released and their weapon returned without further action. If the record indicates otherwise seizure of the weapon is required and arrest of the individual if they are a convicted felon.
 2. Concealed Carry – The prohibition of carrying a concealed handgun does not apply to a citizen who has been issued one of the following valid concealed handgun permits:
 - a. Virginia Resident Concealed Handgun Permit - Virginia Resident Concealed Handgun Permits are issued by the circuit court of the county or city in which the applicant resides.
 - b. Virginia Nonresident Concealed Handgun Permit – A five-year permit to carry a concealed handgun, issued to non-Virginia residents by the Virginia State Police.
 - c. Out of State Concealed Weapons Permit - The holder of a valid concealed handgun or concealed weapon permit or license issued by another state may carry a concealed handgun in Virginia.

Virginia law does not require a citizen to notify an officer that they have a permit or are in possession of a lawfully concealed handgun. However, all persons to whom a permit is issued are required by Virginia Code to have such permit on their person at all times when carrying a concealed handgun and to display that permit and a valid photo-identification issued by a government agency or by the U.S. Department of Defense or U.S. State Department upon demand by a law-enforcement officer. The permit information and identification should be scrutinized for authenticity and accuracy, paying particular attention to the expiration date.


If all documentation is in order, the investigation has been concluded and there are no known felony convictions the subject should be released and their weapon returned without further action. Conversely, if a person does not have a permit and the appropriate photo identification, or refuses to present either of them to the officer, the individual should be charged with carrying a concealed weapon; which would require the seizure of the weapon.

3. Transporting Firearms - A concealed handgun permit is not necessary when transporting a handgun in a personal, private motor vehicle or vessel and such handgun is secured in a container or compartment in the vehicle or vessel. The term “secured” as used does not require the compartment to be locked. [OAG opinion 11-111](#).
- B. VCIN/NCIC/NLETS Inquiries - When further investigation of a concealed handgun permit holder is warranted by officers the ECC has the capabilities of conducting the following NCIC/VCIN concealed handgun permit inquiry:
1. Query Gun (QG) – The “QG” message key code will generate an inquiry on a gun serial number and provides access to stolen, recovered, lost, and felony gun records.
 2. Query History (QH) - The “QH” message key code with the purpose code “F” will indicate if the person has mental health challenges or has been convicted of a crime or offense that prevents them from possessing a firearm.
 3. Query Concealed Permit (QCP) - The “QCP” message key code will query the Virginia Concealed Weapons Registry concealed weapons file to reveal if an individual has a concealed weapons permit on file in Virginia.
 4. Query Concealed Weapons Permit (QCWP) – The “QCWP” message key code will reveal if Virginia recognizes an out of state concealed weapons permit when the state is not a member of the compact.
 5. Concealed Weapons Permit Information Exchange System (CWQ) – Allows NLETS users to exchange concealed weapon permit information between local, state, and federal law enforcement and criminal justice agencies.
- C. Law Enforcement Officers Safety Act (LEOSA) – Federal law that allows qualified law enforcement officers, both active and retired, to carry a concealed firearm in any jurisdiction in the United States or United States Territories, regardless of state or local laws, with certain exceptions. An individual who qualifies under LEOSA is not required to have a state-issued permit to carry a concealed firearm. However, it does not exempt them from state laws that permit private persons or entities from prohibiting or restricting the possession of concealed firearms on their property; or state laws prohibiting or restricting the possession of firearms on any state or local government property, installation, building, base or park.
1. Active Officers - Must present a photographic identification issued by the governmental agency for which the individual is employed as a law enforcement officer. The definition of a qualified law enforcement officer and further guidance with regard to qualifications is set forth in [U.S. Code §926B](#).

2. Retired Officers - Must present a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer; and a certification issued by the State in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm. The definition of a qualified retired law enforcement officer and further guidance with regard to qualifications is set forth in [U.S. Code §926C](#)
 3. In either case if the individual does not have the appropriate photo identification, or refuses to present it to the officer, the person should be charged with carrying a concealed weapon.
- D. Arrest - Any person charged with a violation of Virginia Code regarding a concealed handgun should be released on a summons or bodily arrested, as appropriate. A copy of the case report will be routinely forwarded to the Commonwealth's Attorney's office via the Central Records Unit. However, if an individual is arrested for any offense and has a concealed handgun permit, the report should be prominently marked "CHP" to facilitate possible revocation of the arrestee's permit at the arraignment hearing.
- E. Seizure of Weapon - Any person carrying a concealed or openly carried handgun and found to be in violation of the Virginia Code will have their handgun seized and placed in the Property Unit following established procedures. The officer will notify the Virginia Department of State Police Criminal Firearms Clearinghouse by completing Virginia State Police (VSP) form SP-187. A Firearms Documentation Information Sheet is not required for a violation of the concealed handgun law.
- F. Handgun Kept for Safekeeping - An officer who makes a bodily arrest of a person who is legally in possession of a handgun will place the handgun in the Property Unit for safekeeping. Under no circumstances will a seized handgun be brought into the detention center.
- G. Commonwealth's Attorney's Responsibilities - The Office of the Commonwealth's Attorney will notify the Virginia State Police of any permit forfeiture so the VCIN entry can be updated. They will also check for permit holder status at the arraignment stage in the Arlington courts and run periodic records checks on Arlington and Falls Church permit holders to determine if they have been convicted of disqualifying crimes committed outside of Arlington.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: January 31, 2020	Amends/Supersedes: November 16, 2017	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.05.03, ADM.18.04, ADM.23.04			

538.07 Officer Involved Action Resulting In Death or Serious Bodily Injury

I. Policy

The Police Department shall conduct a thorough investigation when an officer discharges a firearm at a suspect or detainee, or when the discharge, use of force or other action by an officer results in death or serious bodily injury to any person – collectively a critical incident. The investigative process will be professional, thorough, and impartial and consist of both a criminal and administrative investigation into all aspects of the critical incident.

II. Purpose

The purpose of this directive is to provide officers with appropriate guidelines when responding to and investigating a critical incident involving the use of force resulting in serious bodily injury or death or the discharge of a firearm involving an Arlington County Police Department employee.

III. Definitions

- A. Administrative Investigation – Non-criminal internal investigation by police department personnel utilized to identify any policy and/or procedure violations.
- B. Administrative Leave – Placement of the Involved Officer on a temporary leave assignment while Arlington County Government conducts an administrative (non-criminal) investigation of police department personnel in accordance with [Arlington County Government Administrative Regulation 2.7](#).
- C. Companion Officer – An officer assigned to provide emotional support and assistance to another officer following a critical incident. Due to the prevalence of physiological responses and other emotional and stress impacts following a critical incident, the assigned officer is normally a member of the department's Peer Support Team but may also be another officer who has had a similar experience, a close friend, or both.
- D. Criminal Investigation – Investigation conducted by the Criminal Investigations Section (CIS) to determine if any criminal laws have been violated. The investigation shall be performed following standard operating procedures, including Mirandizing the Involved Officer.
- E. Critical Incident - The discharge of a firearm, use of force, or other action by an officer(s) that results in death or serious bodily injury to any person.

- F. Employee Assistance Program (EAP) – A countywide program staffed by employee assistance professionals, not affiliated with the police department, who provide support during a crisis and offer confidential critical incident stress or grief response assistance.
- G. Involved Officers – Unless otherwise indicated, refers to those sworn personnel in an on-duty or off-duty status whose use of force or other action results in the death or serious bodily injury to another person, and any officer who discharges his/her firearm at a suspect or detainee, regardless of injury or death.
- H. Officer-Involved Shooting – A discharge of a firearm by an officer during a hostile encounter, while on-duty or off-duty, irrespective of injuries to self, suspects, officers, or third parties.
- I. Peer Support Team – A team, established pursuant to [Code of Virginia § 32.1-111.3.A.13](#), of specially trained police department employees who provide peer to peer counseling to coworkers who have been involved in critical incidents and is accredited as a Critical Incident Stress Management Team by the Commonwealth of Virginia's Office of Emergency Medical Services.
- J. Relief from Duty – An administrative action where an employee's law enforcement authority is temporarily suspended.
- K. Serious Bodily Injury – Injury that involves a substantial risk of death, protracted and obvious disfigurement, or extended loss or impairment of the function of a body part or organ.

IV. Procedure

A. Notifications

Upon notification of a critical incident, the on-duty Watch Commander shall cause immediate notification to the Chief of Police, Operations Deputy Chief, the Office of Professional Responsibility (OPR), the Criminal Investigations Section (CIS), Media Relations and Public Affairs Office and other such officials as designated in [Manual Directive 511.01 Notification and Calls](#).

B. Scene Management

The on-duty Watch Commander or designee shall be responsible for initial incident command and scene management. The initial incident commander shall ensure the following:

1. Identify any remaining threats and take necessary action.
2. Ensure medical attention is dispatched and/or provided to all injured parties.
3. Secure inner and outer perimeters and establish Incident Command and a Command Post.
4. Obtain a brief statement from the Involved Officer(s) solely to identify any potential public safety concerns or to obtain suspect information. This initial statement should be limited to the following information only:

- a. Type of force used, if unknown.
 - b. Location of injured person(s).
 - c. Description and location of any known victim(s) or witness(s).
 - d. Define crime scene area to allow for security and evidence preservation.
 - e. Information and description of any at-large suspect(s), time frame of last contact and possible direction of travel.
 - f. Direction of weapon discharge for purposes of locating other victims or innocent party injuries and evidence preservation.
 - g. Any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspects.
5. Assign a Companion Officer not directly involved in the incident or its investigation to accompany the Involved Officer. If there are multiple Involved Officers, they should be separated and assigned separate Companion Officers, if staffing permits. Companion Officer duties include:
- a. Provide support for the Involved Officer prior to the arrival of the Peer Support Team.
 - b. Ensure the Involved Officer is not isolated once transported away from the incident scene.
 - c. Refrain from talking about the details of the critical incident. Any information disseminated by the Involved Officer to the Companion Officer is subject to disclosure as a part of the criminal investigation.
 - d. If necessary, remind the Involved Officer that he/she should not discuss the critical incident with anyone other than personnel assigned to CIS and OPR, an attorney, licensed medical professional, legal spouse, or a member of the Peer Support Team pursuant to Virginia Code §19.2-271.4.
 - e. If necessary, remind the Involved Officer to not change their appearance in any way, such as removing blood, dirt, or clothing.
 - f. Serve as chain of custody for potential evidence to be collected from Involved Officer(s).
 - g. Submit a written supplemental report documenting their actions as a Companion Officer.
6. Officers should be photographed/video recorded as they appear on scene, to include any injuries sustained. Ensure Involved Officer(s) do not alter their appearance in any way until it has been thoroughly documented via photo, in-car camera video or other video recording device. This protocol is to establish the chain of custody of evidence and to document an accurate depiction of the officer at or near the time of the critical incident. The attempt to document an officer's appearance must not interfere with their medical care.

7. Preservation of evidence and facilitate coordination with CIS.
8. Identify potential witnesses and attempt to secure their cooperation to voluntarily remain on scene. If a witness is unwilling to remain on scene until the arrival of CIS personnel, attempt to obtain initial statement and contact information (recorded if possible) from the witness.
9. Statements from Involved Officers, beyond the public safety statement, should only be taken by CIS and/or OPR.
10. In-car cameras on scene should be activated and positioned to document/identify the incident scene as well as any potential witnesses/bystanders.
11. Provide briefing to arriving personnel from the CIS, OPR and the Public Information Officer (PIO).

C. Removal of an Involved Officer from Incident Scene

Unless extenuating circumstances exist, after the public safety statement is made and the scene is secured, the Involved Officer(s) should be afforded the opportunity to be checked by medics and then moved to the station.

D. Involved Officer Formal Statement

Unless directed otherwise by the Chief of Police or designee:

1. The physiological responses to trauma will be taken into consideration and an officer shall be given up to 72 hours to provide their statement after a critical incident.
2. The Involved Officer(s) should not review any video recordings of the critical incident prior to making such a statement.

E. Police Video or Audio Recording

1. OPR will be responsible for ensuring all video and/or audio recordings are downloaded and tagged as "Administrative Investigation". Copies of all video and/or audio recordings will be made and distributed to CIS.
2. Copies of video and/or audio recordings of the critical incident shall not be destroyed until approved by the commanders of OPR and CIS.

F. Criminal Investigation

The Homicide/Robbery Unit of the CIS conducts the criminal investigation of a critical incident as defined in this policy. The Chief of Police, at his/her discretion, may designate another lead investigative agency. The investigative agency shall determine all the facts, identify all available evidence and ultimately present findings to the Commonwealth's Attorney for criminal review. A copy of all evidence and findings shall also be presented to the Commander of OPR.

1. The Homicide/Robbery Unit is responsible for the following:

- a. Respond to initial scene to receive a briefing from Incident Command.
- b. Evaluate the scope of the incident scene and ensure scene security plan is reviewed and modified as investigatory needs change.
- c. Coordinate with the Crime Scene Unit (CSU) to ensure that all items of potential evidentiary value are identified, documented and properly collected. This will include the Involved Officer(s) weapons, clothing, and all other related evidence.
- d. The preservation of evidence should be undertaken with consideration of the following:
 - (1) Officer safety and location.
 - (2) Methods and location of actual collection should be conducted and directed by a supervisor or CSU MPO.
 - (3) The taking of any firearm or other evidence from an Involved Officer(s) shall be done at a secure location, out of public view unless circumstances dictate otherwise.
- e. Supervisors assigned to CIS and OPR, will meet with the Involved Officer(s) at the beginning of the criminal investigation to explain the investigative process.
- f. Identify and obtain recorded statements from all witnesses to the incident. OPR personnel will not be present in the interview room while the criminal interview is taking place. OPR personnel may observe the interview remotely.
- g. Before proceeding with any interview, the Involved Officer(s) will be advised of the criminal nature of the investigation and of their Constitutional Rights (Miranda Rights).
- h. Record interview(s) of Involved Officer(s).
- i. Provide a completed investigation to the Commonwealth's Attorney for a determination of prosecution.
- j. Should not obtain or review any statements or interview transcripts of a target employee taken in the course of an administrative investigation.

G. Administrative Investigation

OPR is responsible for completing an independent critical incident administrative investigation. The purpose of the investigation is to determine whether the Involved Officer's actions were in accordance with department policy, procedures, rules, and training. OPR will be responsible for the following:

1. Unless otherwise directed by the Chief of Police, the administrative investigation shall include:
 - a. Review and analysis of all interviews, documents, recordings and videos related to the critical incident. OPR may remotely observe the criminal investigation interview to minimize impact on the officer(s) through repetitive questions.

- b. Review and analysis of all applicable policies and procedures.
- c. Conduct interviews as appropriate:
 - (1) The department has the right to compel a statement from an employee at any time.
 - (2) When an interview(s) is necessary, the employees shall be provided with a Notice of an Investigation, Order of Confidentiality and a summary of Employee Rights and Responsibilities with regard to Administrative Investigations.
 - (3) Employees shall comply with all such orders. Failure to comply with the orders or to refuse to answer questions in an administrative investigation will be subject to disciplinary action up to and including termination.
 - (4) Where there is the potential for criminal liability or criminal charges are pending, the Involved Officer(s) should be advised that they are being compelled to provide a statement in the context of an administrative investigation and not for the purpose of instituting a criminal proceeding against the officer (Garrity protections – Garrity v. New Jersey, Gardner v. Broderick). These rights should be memorialized in a written document, signed by the Involved Officer, prior to the officer providing a written statement or participating in an administrative interview(s).
 - (5) Employees shall not make any false or misleading statements or omit any material facts in response to a department administrative investigation.
 - (6) Persons typically permitted to be present at the time of an interview are the employee or Involved Officer and the OPR official(s) conducting the administrative investigation. The presence of anyone else at an interview must be authorized by the Chief of Police or designee.
- d. Completion of an administrative investigative report, with administrative recommendations, if any.
- e. OPR will ensure Federal and State reporting requirements are completed within established guidelines.

H. Incident Occurring Outside Arlington County

- 1. Internal notifications shall be made in accordance with this policy.
- 2. Command and investigative control is ceded to the jurisdiction in which the incident occurred.
- 3. Officers shall be advised that the criminal investigation is handled by the jurisdiction where the critical incident occurred and that their Constitutional Rights remain intact in that outside jurisdiction's investigation.

4. OPR shall respond to the scene and will make contact with the investigating jurisdiction. OPR will conduct an administrative investigation to determine whether the Involved Officer(s) actions were in accordance with department policy, procedures, rules, and training.
5. The officer should be provided a Companion Officer throughout the process, who will remain with the officer while in another jurisdiction.
6. The officer's firearm and/or other physical evidence will be provided to the investigating jurisdiction upon request.

I. Officer Duty Status

The Involved Officer(s) shall immediately be removed from operational or enforcement-related public contact assignments, pending a review of the critical incident. This may be accomplished by means of administrative leave, reassignment to administrative duties, or relief from duty, as deemed appropriate by the Chief of Police.

However, any officer who discharged his/her firearm at a suspect or detainee shall be placed on administrative leave, pending review by the Chief of Police and an examination by a department-appointed psychologist.

1. Involved Officer(s) must undergo fitness for duty evaluation/s and be cleared for duty prior to returning to full duty status.
2. Six (6) months thereafter, the Involved Officer shall meet with a department-appointed psychologist. It is preferred this is the same professional who conducted the original fitness for duty evaluation for follow-up.

J. Replacement Weapon/Firearm

1. Upon approval of the Chief of Police, OPR is responsible for ensuring the Involved Officer receives a replacement weapon/firearm.

K. Public Disclosure of Involved Officer(s) Names

1. During the course of an active administrative and/or criminal investigation, an officer(s) name(s) will only be disseminated to the public upon approval of the Chief of Police or designee, in consultation with the Commonwealth's Attorney.
2. A thorough review of the critical incident will be conducted prior to public disclosure. The review should include:
 - a. An assessment of all relevant facts and circumstances, including a threat assessment of any known, potential, or suspected, serious or imminent threats to the safety of the officer, and/or the officer's family (including, but not limited to, any overt threats or statements made against an officer or a critical incident involving a known member of a violent gang).
 - b. OPR will coordinate the threat assessment with assistance from CIS, ERT, OCS and/or federal law enforcement partners to ensure all relevant information has been identified, revealed and considered.

3. The following protocols shall be followed prior to such release:
 - a. Officer(s) are to be notified by the Chief of Police or designee prior to their name(s) being disclosed.
 - b. When possible, officer(s) will be afforded the opportunity to review the information and press release prior to its dissemination to the media.
 - c. Dissemination of information shall only occur after first providing the Officer(s) a notice of at least two business days; unless directed otherwise by the Chief of Police or designee.
 - d. When possible, department staff will be notified before release.
 - e. With permission of the officer, the department may also notify the primary law enforcement agency in the jurisdiction of the officer's residence and/or to provide temporary accommodations for the officer and family.
4. Video or audio documentation of the critical incident may be released upon the approval of the Chief of Police or his designee, in consultation with the Commonwealth's Attorney, following the above protocols.

L. Officer Care


The Arlington County Police Department is committed to providing emotional support and psychological and emotional assistance to officers involved in a critical incident. Including:

1. Companion Officer outreach.
2. Friends and Family – Involved Officers should be allowed to contact family members early in the process, with minimal explanation, in an effort to ease the stress on the officer and family members. Officers should be advised to provide as little explanation as possible to avoid conflicts with investigations.
3. Provide EAP documents that describe post incident stressors.
4. Mandatory EAP meeting which may include the family of the officer. This meeting, which may be conducted via telephone, should occur within a week of the incident, when practical, and outlines possible physical and/or mental stressors that may occur over the coming days.
5. Peer Support Team – Involved Officers are encouraged to seek counselling from trained Peer Support Team members. The [Virginia Code §19.2-271.4](#) allows first responders who have been involved in critical incidents to discuss the events with peer support personnel without the fear of those individuals being called to testify or having the information released by way of a Freedom Of Information Act (FOIA) request. Several exceptions apply to this rule: the officer could waive privilege, criminal activity is revealed, the peer support member witnessed the actual critical event, disclosure would prevent a crime or threat to public safety, the officer intends to lie during the investigation, or the officer poses a threat to themselves.

6. Discuss leave options or other benefits assistance as needed.
7. Workers' Compensation claims shall be completed for injured officers. For witness and Involved Officers, claim entries shall be made for mental stress and potential or acute mental injury related to the critical incident. If the officer is not experiencing potential or acute mental stress or injury, the entry shall be Record Only.



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Chapter: 5 Procedures	Effective Date: May 18, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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540.01 Traffic Direction and Control

I. Policy

To provide for the safe and efficient movement of motor vehicles and pedestrians in Arlington County.

II. Procedure

A. General Traffic Direction and Control Responsibilities

1. Traffic Conditions Requiring Immediate Attention - All sworn personnel shall be constantly alert for problems which are a hindrance to the smooth, safe, and orderly flow of motor vehicle and pedestrian traffic in Arlington County, and shall take appropriate action to eliminate such problems when they are identified. Such actions may include:
 - a. Notifying the Emergency Communications Center (ECC) of the existence of the problem.
 - b. Requesting additional personnel, if needed, to handle the problem.
 - c. Requesting that the appropriate State or County agency respond to assist in correcting the problem.
 - d. Requesting any special equipment needed to correct the problem.
2. Traffic Concerns Not Requiring Immediate Attention – Traffic concerns and problems with street signs, traffic signals, or street maintenance issues that are not police matters or do not require immediate attention should be reported via the County's online service request tool - [ArlingtonVA Service Requests](#). Additionally, citizens with complaints or suggestions concerning traffic engineering deficiencies can use the app to contact the Traffic Engineering Division to provide specific details and receive updates on their particular service request. If the app is down a service request may be submitted by using an *ACPD Service Request* form.
3. Manual Direction of Traffic - Manual direction and control of traffic may be required under the following circumstances:
 - a. Malfunctioning traffic signals.
 - b. Gridlocked or clogged intersections.
 - c. Illegally parked or disabled vehicles obstructing the flow of traffic.

d. Other activities that occur which force a change to or halt the normal flow of traffic.

1) Manual direction of traffic shall be in accordance with [Virginia Code § 46.2-1309](#), which specifies that traffic direction, other than by voice, shall be as follows:

- a) To stop traffic by hand. - Stand with shoulders parallel to moving traffic. Raise arms forty-five degrees above shoulder with hand extended, palm towards moving traffic to be stopped.
- b) To move traffic by hand. - Stand with shoulders parallel to traffic to be moved. Extend right arm and hand full length at height of shoulders towards such traffic, fingers extended and joined, palm down. Bring hand sharply in direction traffic is to move. Repeat movement with left arm and hand to start traffic from opposite direction.
- c) To stop and start traffic by whistle. - One blast, moving traffic to stop; two blasts, traffic in opposite direction to move.
- d) Emergency stop of traffic by whistle. - Three or more short blasts, all traffic shall immediately clear the intersection and stop.

Police officers and other personnel with traffic direction responsibilities shall possess their traffic safety vest while on patrol and shall wear it when directing traffic. Officers are responsible for ensuring that assigned vehicles are equipped with flares and properly functioning emergency lights.

Officers and school crossing guards may also use supplemental traffic direction devices, including but not limited to hand-held stop or go signs, traffic cones, barricades and directional arrows. All traffic direction equipment is maintained by the Special Operations Section and will be available to other sections upon request. Personnel assigned to a traffic direction post shall remain at that post until relieved or until such time as the problem is corrected or ordered removed by a police supervisor.

Officers may place traffic signals on flash to reduce or eliminate a traffic problem. When an officer places a traffic signal on flash, ECC shall be advised and ECC will then notify the proper authorities. Police officers are neither trained nor equipped to make traffic signal repairs nor to adjust the timing cycles and, therefore, are prohibited from doing so. The police function is to recognize the problem, stabilize the traffic flow, and request that the appropriate State or County Agency respond to repair the signal.

- B. Accident Scenes - Uniformed police officers have the primary responsibility for the direction and control of traffic at motor vehicle accident scenes.
1. Officers should set up perimeter traffic control points to:
 - a. Allow for the ingress-egress of police, fire, and rescue equipment.
 - b. Halt, or divert approaching traffic away from or around the accident scene.
 - c. Provide for a system of alternate routes to move traffic around the accident.
 - d. Notify ECC of the action being taken so that they may in turn notify other jurisdictions that may be affected.
 - e. Notify the department's public information officer to share information via social media.
 2. The following methods of control may be used when it becomes necessary to close or restrict the flow of traffic:
 - a. Flares may be used except where hazardous materials are involved.
 - b. Barricades are appropriate when an entire roadway or intersection must be closed.
 - c. Traffic cones are excellent for diverting traffic from one lane to the next and are often more appropriate than flares.
 - d. Directional arrows can be used to alter the direction of approaching traffic and are best utilized some distance from the scene of the accident.
- C. Fire Scenes - At the scene of a fire, the police shall assist and support the fire-rescue operations. This responsibility shall include:
1. Consulting with the ranking fire official in charge of the scene to determine their needs.
 2. Providing protection for the fire scene and for fire and rescue equipment.
 3. Setting up perimeter traffic control points to allow for the ingress and egress of fire and rescue equipment and personnel authorized to be at the scene.
 4. Controlling key intersections utilized as an ambulance route to hospitals.
 5. Controlling any traffic problems that occur at hospitals where the injured are taken.
 6. Keeping the ECC informed as to the location of control points and the alternate routes that traffic will be utilizing.
- "Personnel authorized to be at the scene" shall include all persons who can be identified as firemen, either regular or volunteer, by badge, or possession of regularly used fire equipment such as a helmet and coat. It shall be the responsibility of supervisory officers of the fire department to correct any problems resulting from these persons blocking fire lanes or impeding the efficiency of persons at the scene.

- D. Natural or Man-Made Disasters – The Arlington County [Emergency Operations Plan](#) requires the police department fulfill the following traffic direction and control responsibilities:
1. Maintain close contact with ECC in order that traffic control points and alternative routes of traffic are identified.
 2. Establish an on-scene command post if no fire is involved and no rescue operations are to be conducted. If fire is involved, or rescue operations are to be conducted, the ranking police official consults with the on-scene fire command post for liaison and coordination.
 3. Establish one or more control points on the perimeter of the disaster scene.
 4. Regulate traffic at the disaster scene to allow free ingress and egress to emergency vehicles.
 5. Restrict access to the disaster scene to authorized personnel.
 6. Control traffic at key intersections on ambulance routes to hospitals where the injured are being transported and control traffic at hospitals receiving the injured.
 7. Ensure the security of the disaster scene and preserve law and order.
- E. Special Events and Parades - It shall be the policy of the police department to provide traffic direction and control services at special events and parades.
1. Appropriate pre-planning sessions will take place with event officials and other affected county or state agencies in order to identify the following:
 - a. The route of travel for the proposed event.
 - b. The number of personnel needed to handle the traffic control points and security of the event.
 - c. The special equipment that will be needed to support and control the motor vehicles and pedestrians affected by the event.
 - d. The identification and discussion of alternate or back-up plans for the event.
 - e. Relevant legal issues involved.
 2. The police department may request the services of the following for such special events:
 - a. Personnel of the Arlington County Sheriff's Office.
 - b. Officers of the Police Auxiliary Unit.
 - c. Selected civilian event marshals.
 - d. State and federal police agency personnel.
 - e. Special equipment from the county and state highway departments.
 - f. Other non-sworn personnel from the police department.


F. School Crossings - The crossing of school children is primarily the responsibility of the school crossing guards and the public service aides of the Special Operations Section. It should be noted, however, that uniformed police officers may be called upon to assist at such school crossings.

1. Officers are equally responsible for the following duties when assigned at such crossings:
 - a. The crossing guard or public service aide shall have full authority and responsibility for directing pedestrian traffic at the intersection or crossing. School patrols assigned to a crossing where a crossing guard or public service aide is on duty will assist in coordinating the movement of pedestrians.
 - b. Dangerous motor vehicle code violations observed by the crossing guard or public service aide while on a school crossing should be reported to his/her supervisor or, depending upon the circumstances, to the dispatcher for immediate assignment to a police officer.
 - c. A report will also be made to the police department of any activity or situation of an emergency nature in the immediate area of the crossing point.
 - d. All crossing guard and public service aides shall conduct themselves in a courteous and efficient manner which will reflect favorably on the police department.
 - e. Crossing guard or public service aides shall report any inability to report for duty at least one hour prior to their scheduled crossing post.
 - f. All crossing guard and public service aides shall direct traffic in accordance with Virginia Code § 46.2-1309.
 - g. All crossing guard and public service aides shall be in complete uniform and wearing the issued traffic safety vest when on a crossing post.
 - h. All crossing guard and public service aides are prohibited from smoking while on a crossing post.
 - i. The use of alcoholic beverages prior to and while on post is expressly prohibited.
 - j. All flashing school zone lights will be operated prior to the scheduled crossing and shall remain working or in place the full duration of the assigned crossing hours.
 - k. The grouping of pedestrians will take place prior to an actual crossing, and every effort will be made to keep the group very compact as it crosses the street. Failure to properly group pedestrians will cause unnecessary delays to approaching motorists.
 - l. The crossing guard or public service aide shall be aware of and utilize the natural gaps that normally occur in moving traffic. Traffic shall be stopped and pedestrians crossed when such gaps occur.
 - m. All pedestrians will be instructed to walk at the crossing point. Running to the crossing point and running while crossing shall be prohibited.

- n. Halted traffic shall not be released until the last pedestrian is safely on the opposite side of the crossing.
- o. Students assigned as school safety patrols must never work in the street and are confined to duty only as far as the curb.
- p. The crossing guard or public service aide shall work with the traffic light at controlled intersections. Pedestrians should be grouped and then crossed on a red light. Every effort must be made not to cross pedestrians against a green light.
- q. Motorists or pedestrians who fail to obey the orders and direction of a crossing guard or public service aide should be reported to the police department.



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540.04 Blood Samples in Fatal Accidents

I. Policy

Driving under the influence of alcohol and drugs is a major contributor to traffic fatalities. The successful prosecution of drivers who were driving under the influence and involved in a motor vehicle accident involving fatalities or which is likely to result in a fatality requires the collection of blood samples within established guidelines.

II. Procedure

A. Initial Response - Upon arrival at the accident scene:

1. Determine the need for medical assistance and summon appropriate rescue personnel if they are not present.
2. Immediately identify all drivers and determine which driver is apparently at fault. It is critical to establish who the drivers of the vehicles were at the time of the accident.
3. Detain driver at fault and ensure that no alcoholic beverages or other substances, other than administered by rescue or medical personnel, are ingested. If available, one officer shall be assigned to keep direct custody of the subject.
4. At the earliest practical moment, search the vehicles for alcoholic beverages, containers, or evidence of other substances within the parameters of 4th Amendment.
5. Obtain statements from witnesses and other drivers probably not at fault pertaining to time of accident and arrival time of police personnel.
6. Get names, addresses, telephone numbers, and email addresses of all witnesses.
7. The driver probably not at fault should submit to appropriate tests to assure that drugs or other substances did not impair performance prior to the accident. A minimal level of testing is the administration of a preliminary breath test.
8. If the driver apparently at fault is not seriously injured, a statement should be taken as soon as possible that obtains the following information:
 - a. That he/she was driving/operating the vehicle responsible for the accident at the time of the accident.
 - b. That there was no mechanical failure.

- c. The time the accident happened.
- d. Whether alcoholic beverages, drugs, and/or other substances had been ingested.
- e. Where the driver had been drinking, how much did he/she have to drink, what did he/she have to drink, what time did he/she have last drink, who he/she was with when drinking or doing drugs.
- f. That no alcohol or drugs have been consumed since the accident.
- g. When, where, and with whom he/she had been prior to the accident.

B. Collecting Blood Samples

1. An officer should attempt to get a suspect's consent to draw blood.

a. Suspect Consents

- 1) Have them sign a consent form, if practical under the circumstances.
- 2) Have hospital medical personnel use a Virginia Department of Forensic Science (DFS) Blood Draw kit in accordance with the instructions that come with the kit. When a DFS kit is not available, officers should instruct medical personnel to use blood collection vials containing an anti-coagulant.
- 3) Two vials of blood should be obtained from each suspect and if possible, a non-alcohol based swab should be used.

b. Suspect Does Not Consent

- 1) Advise the suspect that blood will be drawn. Proceed under the exigent circumstances exception to the warrant requirement. Be aware, however, that a warrantless search of this kind (drawing blood) will only be upheld when:
 - a) The process is a reasonable one and is performed in a reasonable manner by trained medical personnel in a safe medical environment.
 - b) There is in advance a clear indication that in fact the evidence sought will be found. It is important to note all observations about the suspect that indicate intoxication (such as odor of alcohol, statements about drinking, slurred speech, bloodshot eyes, etc.).
 - c) There were, in fact, exigent circumstances. (e.g., the exigency exists because of the need to have the blood drawn before the percentage of alcohol in the blood diminishes).

2. Search Warrant

A search warrant shall be requested immediately from a magistrate or judge when a suspect is unconscious or the hospital refuses to draw blood without one. The preparation of the warrant should begin as soon as

possible in the event a warrant is needed. The disposition of blood samples drawn pursuant to a search warrant is recorded on the warrant.

- C. Chain of Custody - Establishing and following the chain of custody of a blood sample is crucial and requires that the following information must be properly documented.
 - 1. The type of swab used to clean the subjects arm, the type of needle used (sterile), and whether the test was a whole blood or serum test.
 - 2. The date, time and location where the sample was drawn.
 - 3. The name, address, and phone number of the person drawing the sample.
- D. Storage - All blood samples will be documented in LERMS Property Quick Entry. The blood vials must be sealed, labeled, and stored in a refrigerated locker in the Property Management Unit, Room 33 for safekeeping.
- E. Laboratory Analysis - The primary officer conducting the investigation shall complete a Request for Laboratory Analysis Form prior to submitting blood samples into property.
 - 1. They form shall indicate if the blood was drawn under Consent or a Search Warrant.
 - 2. The form shall indicate if the blood shall be tested for alcohol and/or drug contents.
 - 3. All of the Commonwealth's blood samples in fatal/serious injury cases will be delivered, as soon as possible, to Division of Forensic Science, Northern Laboratory, in Manassas by the officer assigned to complete the investigation.
- F. Use of Blood Samples Drawn for Medical Purposes

If the driver apparently at fault has been injured and is treated at the scene by a paramedic unit, determine whether the paramedics have drawn a blood sample incidental to medical treatment. Police personnel should not request or initiate the taking of blood by paramedics at the scene. If a blood sample has been drawn, record the name of the paramedic taking the sample and monitor but do not interfere with the blood sample. Blood samples drawn and analyzed incidental to medical treatment are admissible as evidence if an adequate chain of custody can be established. If a paramedic drew blood, an officer should follow the chain of custody policy and record the name, addresses, and phone numbers of all individuals who handle the blood.

If the driver apparently at fault is transported to the hospital for medical treatment, determine whether emergency room personnel have drawn a blood sample incidental to medical treatment. If a sample has been drawn, follow the chain of custody procedures described above. The officer assigned to observe the driver at fault accompanies this driver to the hospital in the medic unit. The officer should make note of any medications given and/or any medical procedures administered to the driver.

Blood samples drawn for medical purposes by hospital personnel or paramedics are admissible as other evidence provided the Commonwealth can establish an appropriate chain of custody. Police personnel do not interfere with such blood samples. The date, time and location at which the sample was drawn, the name of the person drawing the sample, the disposition of the sample (to whom and where delivered for analysis), the name of the person analyzing the sample, and the results of the analysis are recorded.

The provision of appropriate medical assistance is the primary function of paramedic and hospital personnel. Under no circumstance shall the drawing of blood samples for chemical analysis of the alcoholic or drug content of the blood interfere with patient care.

G. Analysis of Blood Evidence

An expert witness, a pathologist, a pharmacologist, or a toxicologist must interpret blood test results. This witness renders an expert opinion on the level of impairment or intoxication at the time of the accident based on the results of the analysis. Consequently, the investigation of a fatal accident may involve both the statutory procedures related to obtaining blood or breath samples in DUI cases and procedures related to the collection of evidence in a manslaughter case.

H. Fatal or Potentially Fatal Accidents

Obtaining blood samples from a motorist involved in a fatal accident or serious injury accident, which is likely to result in a fatality, differ from those used in routine DUI cases. In the prosecution of an involuntary manslaughter charge ([§ 18.2-36.1](#)), the Commonwealth is not entitled to rely on the presumptions of [§18.2-269](#) of the Code of Virginia to prove that the driver at fault was under the influence.


In a fatal accident case, blood samples should be obtained from any suspect driver. The Commonwealth does not proceed under the implied consent statute. Implied consent should not be read to the driver, and blood samples are not drawn under the implied consent statute.

I. Medical Transport - Arlington County Fire Department rescue units will not be used to transport an individual to a hospital solely for the purpose of obtaining a blood sample. Transportation of individuals for such purposes must be provided by other means.

If a suspected at-fault driver is transported outside the Commonwealth for medical treatment, an officer shall not request the hospital draw additional blood vials for criminal analysis purposes. If blood is drawn for medical purposes, officers shall not interfere with medical treatment, but shall attempt to obtain the name of the medical personnel who drew the blood and the location that the blood will be sent to within the hospital. The officer shall document this information in their case report.



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541.02 Speed Enforcement

I. Policy

Speed enforcement is an integral component of the department's traffic safety program. The operation, testing, reporting and storage of speed measuring devices by employees of this department shall be in accordance with established guidelines. A tolerance of ten miles per hour is not inconsistent with the department's speed enforcement efforts.

II. Procedure

- A. Equipment - Officers shall take all reasonable steps to protect RADAR/LASER equipment, including protection from inclement weather.
 - 1. Unless assigned to an officer, all speed measuring equipment is for daily use only.
 - 2. Officers must return the equipment to its assigned locker via the KeyWatcher System, at the end of their tour of duty.
 - 3. All RADAR/LASER units shall be tested for accuracy prior to, and at the completion of, the officer's tour of duty.
- B. Training - Prior to operating any RADAR/LASER equipment, employees must successfully complete the department's mandated course on the use of RADAR/LASER. Additionally, officers shall complete recertification every three years. All RADAR/LASER equipment shall be operated in accordance with the manufacturer's operation manual and training provided by the department. Copies of the manufacturer's RADAR/LASER operation manuals are available in the Special Operations Section and in the Training and Career Development Unit.
- C. Enforcement - The following are priority assignments when working speed enforcement:
 - 1. Areas where high accident rates are identified.
 - 2. School zones during appropriate times.
 - 3. Areas where complaints are received.
 - 4. Areas identified by County transportation staff and police personnel.

D. Guidelines for Deployment

1. Officers are not permitted to utilize Visible Stationary Traffic Observation or Concealed Stationary Traffic Observation on highways with a speed limit greater than 35 mph.
2. Officers are permitted to use RADAR/LASER on highways with a speed limit greater than 35 mph as long as they utilize a police vehicle to stop the violator. Once a violator passes by an officer using RADAR/LASER, the officer will use their discretion to determine if it is safe to pull on to the highway in order to conduct a traffic stop.
3. Officers are permitted to utilize Visible Stationary Traffic Observation and Concealed Stationary Traffic Observation on highways that have a speed limit of 35 mph or lower. Officers will not be permitted to step out into traffic to stop a violator in a speed zone that is higher than 35 mph.

E. Citizen Complaints – All citizen requests for speed enforcement shall be forwarded to the Special Operations Section (SOS) for processing. In determining the best course of action to take SOS will review the request and take into consideration such factors as the findings of traffic classification studies, crash data, and traffic enforcement efforts at the location. If SOS determines enforcement action is warranted, officers will be assigned to the location in an effort to ensure driver compliance with the posted speed limit. SOS will maintain all records of complaints received and action taken.


F. Officer Safety - Officers shall wear a department issued traffic vest or approved reflective yellow jacket whenever they work a traffic detail using Visible Stationary Traffic Observation or Concealed Stationary Traffic Observation.

G. Repairs and Calibration - The Special Operations Section is responsible for coordinating all repairs to the RADAR/LASER equipment. Under no circumstances shall any employee attempt to make any mechanical adjustment to the equipment. Any malfunction or damage noticed by the officer shall be immediately reported to their supervisor followed by a memorandum to the SOS Commander, via the chain of command. The damaged unit shall be delivered to the SOS MPO, along with the corresponding key from the KeyWatcher System.

Tuning forks and LASER units shall be calibrated every six months. At the appropriate time, the SOS MPO shall ensure that all RADAR/ LASER units are collected for calibration. The calibrations must be performed using a qualified laboratory that has been approved for such work by the Commonwealth of Virginia, Division of Purchase and Supply. Following calibration, the resulting documentation shall be stored in the SOS office. Original calibration certificates are stored in the Operations Roll Call Room and in General District Court, in courtroom 3C.



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541.04 Traffic Enforcement

I. Policy

The department places a priority on the enforcement of speeding, occupancy protection, and the detection of impaired drivers in order to reduce the frequency and severity of traffic accidents, and to promote the safe, efficient movement of vehicular and pedestrian traffic. Every uniformed officer of the department is expected to participate in traffic enforcement activities, when appropriate. In these regards, the department shall not render enforcement decisions or engineering recommendations based upon revenue generation or the pursuit of artificial statistical goals and quotas.

II. Definitions

- A. Speeding - Driving at an excessive or illegal rate. As utilized in this directive, speeding problems are further characterized as either "excessive" or "moderate."
 - 1. Excessive Speeding Problem - More than fifteen percent of the vehicles on a street are exceeding the speed limit by more than 10 miles per hour.
 - 2. Moderate Speeding Problem – More than fifteen percent of the vehicles on a street are exceeding the speed limit by 5 or more miles per hour.
- B. Traffic Enforcement – Enforcement of traffic laws to reduce traffic collisions, their resulting injuries, and to promote the safe flow of vehicular and pedestrian traffic.

III. Procedure

- A. Enforcement - Strategies and tactics for traffic enforcement should be consistent with the nature of the violation and its potential for interfering with the free and safe flow of traffic.
- B. Equipment - All vehicles used in traffic law enforcement will be equipped with approved emergency lights and siren.
 - 1. Emergency lights will be activated when attempting to stop a violator and remain activated throughout the stop. If this fails, a brief sounding of the siren should put the violator on notice of the officer's intent to stop the violator.

2. The spotlight may be used to gain the attention of a violator, or to illuminate the interior of the violator's vehicle. It should never be positioned in such a manner so as to shine into oncoming traffic.
 3. The public address system may be used to communicate with a violator. Instructions should be given slowly and clearly to avoid confusion.
- C. Radar/Laser Enforcement – Enforcement will be conducted in accordance with Manual directive 541.02 *Speed Enforcement*.
- D. Traffic Stop Guidelines
1. Positioning the Vehicle - After a violator has been identified, the officer will inform the dispatcher of the location of the stop and the suspect/vehicle information. The actual stop should be made in a location that will afford the officer the greatest safety available. If the violator has stopped in an unsafe position, the officer should use the public address system to notify the driver to move to a safer location.
 2. Approaching the Violators Vehicle - The officer should approach the violator's vehicle with caution, watching for suspicious or sudden movement. If the officer initiates a high risk traffic stop, they will inform the dispatcher via radio of the location of the stop, vehicle/suspect information, and request additional back-up units. Officers shall then coordinate their efforts to remove the occupants of the vehicle in a safe manner. Once completed, they should approach the vehicle to ensure all occupants have been removed and any other threats have been rendered safe.
 3. Contact with Traffic Violators – The officer should greet the violator in a courteous manner, identify themselves, explain the reason for the stop and request the driver's license and vehicle registration. The officer shall then complete the appropriate paperwork. When the officer returns to the violator, the violation should be explained in detail, including any court appearance or prepayment options. The officer will explain to the violator that signing the Virginia Uniform Summons (VUS) is not an admission of guilt but merely a promise to comply with the summons and either appear in court or prepay the summons. Upon completion of the traffic stop, the officer should assist the violator in safely reentering the flow of traffic.
 4. Refusal to Sign VUS – An officer shall make every reasonable effort to advise a violator that a refusal to sign a VUS will result in additional action. If a violator steadfastly refuses to sign the VUS and they are not covered under a specified immunity clause (see section III.E.), the officer shall promptly take the violator before a magistrate to determine whether probable cause exists that the violator is likely to disregard the summons ([VA Code § 46.2-940. When arresting officer shall take person before issuing authority](#)).
 5. Officer Discretion - The exercise of discretion should be based upon the seriousness of the violation and the action that is most likely to encourage future compliance with the law. When a traffic violation is observed, it is the officer's decision whether to issue a traffic summons, a written warning,

or a verbal warning. If multiple violations have been observed, the officer may elect to utilize any, or a combination, of the above actions.

Officers are encouraged to use a higher degree of discretion when issuing citations during the first five (5) days of the month for expired tags, county decals, and/or state safety inspections - if these items expired in the previous month.

E. Special Enforcement Issues


1. Non-Residents - The Code of Virginia [§ 46.2-944.1. Compact entered into law; terms.](#), describes the reciprocal provisions applicable to residents of states that are members of the "Nonresident Violator Compact." Residents of non-compact states should be brought before a magistrate. This is normally a non-custodial arrest and violators should be instructed to follow the officer to the Magistrate's Office.
 2. Juveniles - Juvenile traffic offenders are prosecuted in Juvenile and Domestic Relations District Court which should be indicated on the summons. Officers issuing a traffic summons to a juvenile offender should advise them of their options regarding prepayment or court appearance and that the juvenile must be accompanied by a parent or guardian in court.
 3. Congressional Immunity - Members of Congress may not be detained for the issuance of a summons while they are in transit to, or from, the Congress of the United States. If a member of Congress is stopped for a traffic infraction, they should be identified and immediately released. The officer may then obtain a summons for the member of Congress covering the observed violation and make arrangements to serve the summons at a time when the member of Congress is not in transit to, or from Congress, or on official business.
 4. Diplomatic Immunity - See Manual directive 536.10 *Diplomatic and Consular Immunity*.
 5. Military Personnel - Military personnel assigned to local military installations should be treated as residents. Military personnel not assigned to local installations should be treated as nonresidents in accordance with the provisions of this directive. Officers are reminded that the home state operator's license of military personnel does not expire until 90 days after separation from active duty.
- F. Referral for Reexamination - Officers who encounter drivers suspected of incompetency, mental or physical disability, disease, or other conditions which would prevent that person from exercising reasonable care over a motor vehicle, may utilize the Driver Deficiency Report form issued by the Department of Motor Vehicles, to request reexamination of that driver.
- G. School Bus Violations - When violations of passing stopped school buses are reported by school bus driver or citizens, a passing stopped school bus report will be completed by the complainant which includes a detailed description of the offending vehicle and operator. The completed report will then be forwarded to SOS personnel for investigation. Upon completion of the

investigation, the complainant will appear before the magistrate to obtain a summons. The summons will be served by SOS personnel in accordance with current department procedures. This procedure is not used when an officer observes a vehicle passing a stopped school bus. (See [§ 46.2-859. Passing a stopped school bus; prima facie evidence](#)).

- H. DUI Enforcement - Enforcement will be conducted in accordance with Manual directive 541.05 *DUI Arrests*.
- I. Parking Enforcement - Although the Public Service Aides have primary responsibility for parking enforcement, patrol officers shall also enforce parking regulations as a routine part of their daily activities. Special attention should be paid to parking violations that impede the flow of traffic, especially during rush hour, or create a hazardous situation. Enforcement action should be taken, including towing if necessary, to correct these problems.
- J. Abrogation of Parking Tickets
 - 1. Clerical Errors - Pursuant to Arlington County Code [§ 14.2-95. Collection of Fines for Parking Violations and Contests of Citations](#), the County Manager has designated the commander and designee of the Special Operations Section (SOS) as those police employees authorized to abrogate parking citations for good cause shown, based on clerical error. Clerical errors are defined as errors made by police employees during the issuing of a citation and those errors entered by citizens using the Parkmobile pay system. The decision of the SOS Commander or designee as to the disposition of the citation is the final internal review by the department. Citizens not satisfied with the outcome of the decision have the option of requesting a hearing using the established procedure as printed on the back of the parking ticket or found on the ACPD website.
 - 2. Voided Citations - When a PSA becomes aware that a parking ticket is printed with errors and needs to be VOIDED, they should forward it to an SOS supervisor so that the record can be updated in the Parking Ticket System. The hard copy of the ticket should be presented to the supervisor before the end of the employee's tour of duty.
 - 3. Citations Issued to Police Employees - Police employees who receive a parking citation must request a review of the citation through their chain of command. A memorandum explaining the justification for the request and a copy of the parking citation should be forwarded to an SOS supervisor for their review.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 25, 2018	Amends/Supersedes: November 4, 2009 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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541.06 Sobriety Checkpoints

I. Policy

The Arlington County Police Department's primary purpose for implementing DWI checkpoints is to deter drunk drivers and raise public awareness about the problem of drunk driving. The department's secondary purposes are to assure that drivers are properly licensed to drive, to arrest all intoxicated drivers contacted at the checkpoints, and ultimately to reduce the number and seriousness of DWI-related traffic accidents.

The department recognizes that most drivers entering DWI checkpoints will be sober, properly licensed, and not in violation of any law. Consequently, the degree of intrusion or inconvenience experienced by drivers at checkpoints must be kept to a minimum. Extended interviews, DWI-related motor skill tests, and verification of driver's license status, etc. shall be reserved only for those drivers who display overt signs of intoxication, cannot produce a driver's license, or otherwise appear to be in violation of a law.

II. Definitions

- A. DWI – Strictly speaking, an acronym for the words “driving while intoxicated.” However, for purposes of this directive the acronym embraces all degrees of alcohol and drug-related driving without regard to statutory definition or semantic distinction (e.g., the acronym includes driving while “intoxicated,” driving while “impaired,” and/or driving while “under the influence,” etc.).
- B. DWI Checkpoint – a temporary, fixed-position roadblock established by the police in order to conduct a very brief interview of every driver, during which the topic of drunk driving is raised and the sobriety of the driver is assessed.
- C. Reference Point – The geographic location beyond which traffic will not be allowed to back up. If traffic waiting to pass through the checkpoint builds to this point, the supervisor shall order waiting vehicles to be waived through without driver interviews, thus relieving traffic congestion and assuring that the checkpoint's intrusion upon motorists remains slight.

III. Procedure

- A. Checkpoint Supervision - The Deputy Chief of the Operations Division (or his designee) shall assign a supervisory officer the rank of Sergeant or higher to plan DWI checkpoint operations, provide on-scene supervision, and

subsequently file related after-action reports. The supervising official shall also ensure that the following agencies or entities are notified prior to the implementation of the checkpoint:

1. Commonwealth's Attorney's Office
2. Sheriff's Office
3. Magistrate's Office
4. MADD (Mothers Against Drunk Driving)
5. ECC (Emergency Communications Center)
6. News media.

Notification to the news media shall include the hours when the checkpoint will be in operation, but shall not identify the specific location where the checkpoint will be located.

- B. Site Selection - The officer assigned to supervise a DWI checkpoint shall review the traffic accident and DWI traffic citation data stored in the LERMS database prior to the selection of the checkpoint site. All sobriety checkpoint sites will be selected using the following criteria:

1. Site location will be based on frequency of alcohol-related accident experience and/or historical arrest data; however, statistical data is not the sole criterion for the checkpoint site.
2. Topography, roadway width, and other highway characteristics, particularly as they relate to officer and motorist safety.
3. Lighting and sight lines, in order that motorists will be able to recognize and appropriately react to the checkpoint.
4. The likely volume of traffic at the time of day when the checkpoint will operate, in order not to create unreasonable delays or traffic jams.
5. The availability of alternative routes for drivers who elect to detour rather than proceed through the checkpoint.
6. The site should have adequate space available to park police vehicles and allow motorists to be pulled out of the traffic flow for further interview and/or administration of field sobriety tests.

When selecting a site, the supervisor shall bear in mind that the department's paramount concern at a DWI checkpoint is always the safety of officers and motorists. Further, the supervisor must understand that in order for a DWI checkpoint to be constitutionally valid, the degree of intrusion upon typical motorists must be minimal.

- C. Operational Plan - Prior to deployment, the checkpoint supervisor shall draft an operational plan that includes:

1. An agenda of pre-event training (see subsection III.D.)
2. A diagram showing the positioning of warning signs, traffic cones, flares, foot officers, and manned police cruisers, etc.

3. Identification of the “reference point” (see subsection III.F.5)
 4. A listing of the tasks to be performed and the identity of the officers assigned to each task (see subsection III.F.7)
 5. Any unique or unusual procedures that may be appropriate for the specific checkpoint in question.
 6. Date, hours of operation, and location of each checkpoint.
 7. Contingency plans for each checkpoint, which shall include:
 - a. Alternative locations for use in the event safety considerations prevent checkpoint operations at the intended locations. Safety considerations may include circumstances such as extremely heavy traffic due to some unforeseen event or a major accident at or near the checkpoint location.
 - b. Procedures for screening alternate vehicles if traffic volume prevents the screening of all vehicles (i.e. every third, fifth or tenth vehicle). The average screening time per vehicle and the number of checkpoint personnel available will determine the appropriate alternate procedure for checking vehicles. Screening procedures may be varied during the checkpoint to match traffic flow. For example, during peak hours, checkpoint personnel may screen only one in ten vehicles, then one in five as traffic flow reduces, and end by screening all vehicles during light traffic.
 - c. Another method may be to screen all vehicles until there is a substantial traffic backup at which time all stopped vehicles would be released in order to prevent the checkpoint from becoming unduly hazardous. The method for determining when to change screening procedures, who will make the decisions and the procedures, will be listed in the detail in the operations plan and shall not be deviated from by participating personnel. Vehicles will not be stopped on a discretionary basis. All vehicles regardless of type shall be checked. This includes commercial vehicles such as buses and large trucks.
- D. Roll Call - Immediately before deployment of personnel to the checkpoint site, a roll-call shall be conducted for training and assignment purposes. Copies of the operational plan shall be disseminated to all involved officers at this roll-call, and the following training shall occur:
1. Review of the procedures, tasks, and diagram included in the operational plan.
 2. Discussion of the legal issues associated with checkpoint operation (e.g., constitutional requirements to keep the intrusion upon motorists to a minimum, and to treat all vehicles in a consistent manner, etc.).
 3. Review of Preliminary Breath Test (PBT) procedures.
 4. Review of field sobriety test procedures, as those procedures are identified in Manual directive *541.05 DUI Arrests*.

5. Any additional training that may be appropriate or necessary for the particular checkpoint in question.
- E. Uniforms & Equipment - The supervisor shall ensure that all warning signs, traffic cones, flares, and similar equipment are in place before any motorists are stopped. The supervisor shall also ensure that all officers involved in checkpoint activities wear reflective vests (with metal badges attached) and uniform hats when not seated inside a police vehicle.
- F. Operation of the Checkpoint
1. General Provisions - All vehicles and motorists shall be treated consistently. Except when operations have been temporarily and uniformly suspended, all vehicles entering the checkpoint shall be stopped and all drivers interviewed. Inconsistent and/or preferential treatment of any vehicle or motorist (e.g., stopping one vehicle while letting others pass without stopping) potentially invalidates the entire operation, and is therefore strictly prohibited.
 2. Motorist Interviews - Interviews of motorists shall be as brief as possible, consistent with their purpose. Generally, interviews should last for no longer than 30-40 seconds. To protect the constitutionality of the checkpoint, it is imperative that the degree of intrusion experienced by typical motorists is kept to a minimum.
 - a. During each interview the officer shall identify himself by his name and department, and shall inform the motorist of the checkpoint's purpose.
 - b. The officer shall also ask for, and subsequently inspect, the motorist's driver's license.
 - c. During each interview the officer shall also observe the motorist for signs of intoxication, such as an odor of intoxicants, slurred speech, lack of physical coordination, unusual eye movements, disorientation, and other behaviors commonly associated with DWI.
 - d. When there are no apparent signs of intoxication, the officer shall hand the motorist a brochure explaining the checkpoint program and direct him to proceed on his way.
 3. DWI Investigation - If signs of possible intoxication are present, the officer shall direct the driver to a safe location away from the flow of traffic. A preliminary DWI investigation shall then be conducted. The investigation may include:
 - a. Additional personal observation of the motorist.
 - b. Questions regarding his use of intoxicants during the hours immediately preceding the checkpoint.
 - c. Administration of field sobriety tests, as appropriate.
 - d. Administration of a preliminary breath test, as appropriate.

If probable cause for a DWI offense develops, the driver shall be arrested. If probable cause does not develop, the driver shall be released.


4. **Vehicles Avoiding Checkpoint** - If a motorist approaching the checkpoint turns around or leaves the highway, his driving behavior shall be observed and assessed for signs of possible intoxication. If the behavior suggests that intoxication may be an issue, or if a traffic violation is observed, the motorist may be stopped. The decision whether to pursue and/or stop such a vehicle shall be made by the checkpoint supervisor, or by an officer explicitly delegated by the supervisor to make this type of decision. Officers shall bear in mind that deliberately avoiding a checkpoint is not an illegal act. Consequently, if the traffic stop fails to reveal signs of DWI or another traffic or criminal violation, the motorist shall be released.
5. **Checkpoint Suspension** - Generally speaking, the delay experienced by motorists at a DWI checkpoint should be similar to the delay typically experienced at a traffic light for a major intersection, or at a well-traveled highway toll booth and reference points should be established accordingly. If traffic waiting to pass through the checkpoint backs up to the pre-determined reference point, the supervisor shall temporarily suspend operations and direct all vehicles to be waived through the checkpoint without stopping. This practice is necessary to ensure that motorists do not experience an unacceptable level of intrusion or inconvenience. Additionally, supervisors shall suspend operations whenever poor weather and/or other hazardous conditions render checkpoint activities unsafe. Operations shall resume only when the hazard has been removed.
6. **Event Log** - All significant events and occurrences at DWI checkpoints shall be recorded at the scene, and subsequently reported in an after-action report (see After-Action Report subsection of this directive).
7. **Officer Assignments** - The following assignments will be made by the checkpoint supervisor:
 - a. **Supervisor** – provides general supervision of the checkpoint operation and performs the supervisory tasks cited in this directive
 - b. **Approach Safety Officer** – stationed in a vehicle at some distance ahead of the checkpoint, this officer observes approaching traffic and warns officers at the checkpoint site of approaching danger (e.g., obviously drunk drivers, reckless drivers, wide-loads, etc.). This officer shall not leave his position as long as the checkpoint is in operation.
 - c. **Observation Officers** – stationed in vehicles at both ends of the checkpoint, these officers remain alert for motorists who avoid the checkpoint, and subsequently perform the duties described in subsection III.F.4.
 - d. **Data Collection Officer** – keeps an accurate record of all significant events, and tallies the statistical data that is required for the after-action report (see subsection III.G)

- e. Checkpoint Contact Officers – stationed on foot at locations some distance apart from one another, these officers make the actual contact with motorists and perform the various tasks and functions described in subsections III.F.1 through III.F.5. These officers shall attach neon colored cones to their flashlights and utilize them as a means of traffic direction and control.
- G. After-Action Report - Following the operation, the supervisor shall submit an after-action report to the Chief of Police and a copy provided to the Deputy Chief of the Operations Division.
- 1. The information included in the report shall include the:
 - a. Date/times(s) of all suspensions cited in subsection III.F.5, and the length of each suspension.
 - b. Number of vehicles that passed through the checkpoint.
 - c. Estimated average duration of each stop.
 - d. Number of drivers detained for further evaluation.
 - e. Number of drivers arrested for DWI.
 - f. Number of other full-custody arrests, and their respective charges.
 - g. Number and type of non-custodial citations.
 - 2. The supervisor shall also include the following attachments:
 - a. LERMS printout generated during the statistical research phase.
 - b. Operational Plan.
 - c. Copies of related case reports, if any are generated.

The template for an after-action report can be found on the “L” Directory of the County LAN (L:\Team\POL-Team-ACPDSupervisors\15 After Action Reports).



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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542.01 Motor Vehicle Accidents

I. Policy

Traffic accidents are investigated in order to enforce traffic laws and identify roadway engineering defects that may require corrective action. Officers will assist with the exchange of information between drivers, but will not render judgments regarding civil liability or advise involved parties with respect to civil matters.

II. Procedure

Accidents shall be investigated in accordance with the [FR300 Crash Report](#) Reference Manual.

A. First Responding Officer Responsibilities

1. Advise whether an accident is property damage only or involves injuries or fatalities.
2. Advise on the number and nature of injuries.
3. Advise if additional units are needed to assist.
4. Aid the injured.
5. Protect the accident scene.
6. Preserve evidence.
7. Inform on scene fire and rescue personnel of injuries, fire hazards, or incidents involving hazardous materials.
8. Locate witnesses.
9. Reroute traffic and notify the ECC of street closures.
10. Assist the primary officer in clearing the roadway.

B. Primary Investigating Officer - The unit designated by the ECC as primary shall be responsible for investigating the accident, unless another unit assumes responsibility or is so designated by supervisory personnel. The preliminary investigation may include:

1. Interviewing drivers and witnesses.
2. Examining and recording vehicle damage.
3. Examining and recording the effects of the accident on the roadway, if any.
4. Ensuring that photography, measurement, and evidence collection functions are performed, if required.

5. Ensuring that required information is exchanged between drivers.
 - a. The primary officer will verify that the parties involved display a valid driver's license, proper registration for the vehicles involved, secure insurance information, and ensure that all required information is exchanged.
 - b. In cases where a driver is incapacitated or is too belligerent or uncooperative to perform an exchange, the officer shall be responsible for ensuring that each involved driver receives the necessary information about the other involved parties.
6. Completing required state and department forms.
7. Safeguarding the property of accident victims.
8. Notifying appropriate maintenance personnel of immediate highway repair, if required.
9. Ensuring that all accident debris, including flare wires, is removed from the highway.
10. Follow-up Investigation - Follow-up activities will be in accordance with Manual directive [530.01 Preliminary and Follow-up Investigations](#).

C. Reporting

1. Investigation Required
 - a. It shall be the responsibility of the primary officer assigned to the complaint to investigate and document accidents in accordance with this directive and [Virginia Code § 46.2-373](#). Additionally, officers shall document:
 - 1) Any accidents involving County owned or leased vehicles or County property.
 - 2) Accidents resulting from driver impairment due to alcohol or drugs.
 - 3) Accidents, if requested by one of the involved parties.
 - b. A supervisor shall investigate any motor vehicle accident involving a police department employee, on or off-duty, according to the procedures outlined in Manual directive [512.04 On-Duty Injury/Accident](#).
2. Investigation Not Required
 - a. Non-injury accidents occurring on private property do not require an investigation. When an accident is investigated on private property, the only charges that may be placed are:
 - 1) Hit and run.
 - 2) Reckless driving.
 - 3) Driving under the influence.
 - b. Accidents not requiring investigation may be cleared by the issuance of the appropriate Arlington County Driver Information Sheet. The officer may still initiate a report if a need exists for a police report or a violation exists that would require a report.

3. Accident Report & Forms - Officers investigating a motor vehicle accident shall electronically complete and submit the required accident report using [ReportBeam](#). Additional documentation includes:
 - a. Universal Statement Form – A standardized department form that should be provided to citizens involved in an accident or other police incident that provides them the opportunity to chronicle their account of an event. Under no circumstances can a driver or witness be compelled to provide a statement, written or verbal.
 - b. Driver Exchange Form – Provides all involved drivers with pertinent information about the accident as well as insurance information. (See Manual directive [545.01 Weather-Related Traffic Emergencies](#) regarding the suspension of traffic accident investigations and the issuance of Driver Exchange Forms).
 - c. Citizen Accident Report Form – This form is available on the ACPD website in both English and Spanish and is completed by citizens involved in property damage only accidents where the apparent extent of the total property damage is less than \$1,500 and where both drivers have exchanged information at the scene of the accident. (See Manual directive [545.01 Weather-Related Traffic Emergencies](#) regarding the suspension of traffic accident investigations).


Additionally, this form may be used to report a hit and run accident under the following circumstances:

 - 1) When damaged property was unattended,
 - 2) There are no witnesses present who can identify a suspect vehicle or driver,
 - 3) There is no physical evidence present which can lead to the identification of a suspect vehicle or driver, and
 - 4) There are no other substantial investigative leads.
 - d. Witness Subpoena - The primary officer will subpoena all witnesses.
 - 1) Prepayable Traffic Violations - Shall be listed on a [“Request for Witness Subpoena” \(Form DC-325\)](#), according to the procedures outlined in Manual directive [536.01 Virginia Uniform Summons](#).
 - 2) Non-Prepayable Traffic Violations – Shall be issued on a [“Witness Subpoena” \(Form 2020-115\)](#), with the same court date and time as the VUS issued to the defendant.
4. Photographs - Photographs shall be taken under the following circumstances:
 - a. Accidents involving fatalities or potentially fatal accidents.
 - b. Accidents involving serious injuries or substantial property damage.
 - c. Accidents involving County owned or leased vehicles if a representative of the involved County agency is unable to take their own administrative damage photographs.
 - d. Accidents involving police vehicles.
 - e. Whenever an officer feels that photos will enhance the investigation.

- D. Requests for Technical Assistance - Requests for expert or technical assistance from such sources as mechanics, physicists, physicians, or others, shall be made through the chain of command, and after consultation with the Commonwealth's Attorney, when possible.
- E. Virginia Uniform Summons (VUS) - It is recommended that a VUS be issued for the appropriate violation if a traffic infraction is noted and a police accident report is taken.
 - 1. A VUS, based upon an accident investigation, may only be issued at the scene of an accident or at a hospital or medical facility to which any adult involved in such accident has been transported.
 - 2. An officer investigating a motor vehicle accident where a juvenile is at fault may, at the scene of the accident or any other location, proceed on a summons in lieu of filing a petition, as outlined in [Virginia Code §16.1-260](#).
 - 3. In any other case, the appropriate summons must be obtained from the magistrate.
- F. Critical Accident Team (CAT) – Specially trained motor vehicle crash investigators called upon to investigate complex crash scenes and fatality accidents. The CAT is available to provide additional assistance in investigating any accident, and assist with post-crash vehicle inspections by technical personnel.
 - 1. The ECC and the CAT supervisor shall be notified of any fatal or critical injury accident.
 - 2. A CAT supervisor shall determine if a CAT response is needed.
 - 3. An operations supervisor or CAT supervisor will ensure that an accident report is completed.
 - 4. When a CAT response is appropriate, a CAT investigator will be assigned to the follow-up investigation and shall submit any required reports.
 - 5. The CAT shall investigate all serious accidents involving police personnel, on or off duty. This includes all non-sworn personnel, while on duty, or driving a County vehicle
 - 6. The CAT supervisor will ensure that the appropriate charges are filed.
 - 7. In addition to the notifications required by Manual directive [511.01 Notification and Calls](#), the ECC shall notify the following in order that they may respond to the scene:
 - a. Watch Commander.
 - b. The Special Operations Section Commander.
 - c. The Commonwealth's Attorney.
- G. Special Conditions or Exceptions - This procedure may be suspended by the Operations Division Commander or Watch Commander during inclement weather or during an emergency which reduces the department's capability to handle calls for service. In lieu of an investigation, appropriate Arlington County accident report forms may be issued to citizens involved in property damage only accidents.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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544.02 Immobilization & Towing of Vehicles for Unpaid Parking Tickets

I. Policy

The department seeks compliance with the parking restrictions in Arlington County through active enforcement of such restrictions and the prosecution of violators. The removal or immobilization of vehicles for outstanding parking violations will be an integral part of this effort.

II. Code Requirements

- A. [Arlington County Code, §14.2-3.3](#) - Removal or immobilization of motor vehicles against which there are outstanding parking violations; notice; repossession.
- B. [Code of Virginia, §46.2-1216](#) - Removal or immobilization of motor vehicles against which there are outstanding parking violations; ordinances.
- C. [Code of Virginia, §46.2-1213](#) - Removal and disposition of unattended, or immobile vehicles; ordinances in counties, cities, and towns.
- D. [Code of Virginia, §46.2-941](#) - Conditions precedent to issuance of summons for violation of parking ordinance; notice.

III. Procedure

- A. Responsibility for Immobilization of Vehicles
 - 1. The application of a wheel boot to immobilize vehicles is the responsibility of the Public Service Aide Unit (PSAU) which is under the direction of the Special Operations Section (SOS) commander. Unless specifically directed by an SOS supervisor, patrol officers will not affix a wheel boot to any vehicle.
 - a. Prior to the immobilization of a vehicle, confirmation must be made through an on-duty PSA supervisor or the Customer Service Counter (CSC) that a vehicle has three or more outstanding parking violation notices.
 - b. PSAU personnel are available to affix immobilization devices between 0800 and 1800 hours, Monday through Thursday. During these times, immobilization will be the primary enforcement action subject to the number of immobilization devices and personnel available at the time.
 - c. A patrol officer discovering a parked vehicle which has three or more outstanding parking violation notices may request that PSAU personnel respond to the officer's location to affix an immobilization device.

B. Immobilization of Vehicles

1. A wheel boot will not be used and a vehicle will be towed if any of the following conditions exist:
 - a. The vehicle is obstructing traffic.
 - b. The vehicle is a safety hazard.
 - c. The vehicle is parked illegally.
 - d. Reason to believe that towing the vehicle is a more appropriate action.
 - e. PSAU personnel are not on duty
2. Whenever a vehicle is immobilized, the authorized "Warning" notice must be secured to the windshield or other highly visible part of the vehicle.
3. The employee immobilizing a vehicle will complete a *Vehicle Impound Form* to record immobilization and subsequent towing if required. The impound form will include vehicle information, location, date and time, name and DID number of the immobilizing officer or employee. All copies of the completed impound form must be delivered to the CSC as soon as possible for use when the owner or operator seeks release of the vehicle or in subsequent towing. These forms will be maintained separately from the forms used for towed vehicles, for boot inventory purposes and for easy retrieval.
4. The employee responsible for the immobilization of a vehicle shall complete a stolen vehicle inquiry through the Emergency Communications Center (ECC).

C. Removal of Wheel Boots

1. Wheel boots may be removed and a vehicle immediately released under one of the following situations:
 - a. All outstanding parking violations and administrative fees incidental to the booting of the vehicle are paid. These fees must be paid at the Treasurer's Office, Monday through Friday from 0800 to 1700 hours and outside of these hours at the police department Customer Service Counter. A schedule of these fees will be posted at the CSC.
 - b. Satisfactory proof of ownership or authorization to recover the vehicle.
 - c. In an emergency, as determined by an employee of this department.
 - d. As directed by any supervisor assigned to the Operations Division.
 - e. Prior to impoundment and after the wheel boot has been affixed over 24-hours.
2. When PSAU personnel are not on duty, Customer Service Counter personnel will be responsible for authorizing the removal of wheel boots from vehicles.
 - a. A key for the removal of immobilization devices will be kept at the Customer Service Counter.

- b. Employees must sign the control logbook upon obtaining and when returning the key and the immobilization device to the CSC.

D. Towing for Outstanding Parking Violation Notices

1. A vehicle must be immobilized/booted for more than 24-hours prior to being towed. Weekends will be included in determining the 24-hour period. Supervisory authorization is not needed to tow a vehicle that has been immobilized/booted for more than 24-hours. Towing of such vehicles will be in compliance with Manual directive 514.01 *Towing, Seizing, Impounding, Searching and Releasing Vehicles*.
2. Before towing a booted vehicle PSA's must contact the police CSC to confirm whether or not payment has been initiated. If payment has been initiated the vehicle should not be towed.
3. A *Vehicle Impound Form* will be filed at the Customer Service Counter for use in subsequent towing. The form will include towing and storage information and will be submitted pursuant to Manual directive 514.01.
4. A citizen seeking the release of a vehicle must:
 - a. Pay all outstanding parking violations and administrative fees incidental to the booting, towing and storage of the vehicle. These fees must be paid at the Treasurer's Office, Monday through Friday from 0800 to 1700 hours and outside of those hours at the police department CSC where a schedule of the fees will be posted.
 - b. Provide satisfactory proof of ownership or authorization to recover the vehicle.
 - c. Storage fees are paid directly to the towing company.

E. Special Conditions or Exceptions


When a vehicle should not have been immobilized or towed (e.g., the vehicle owner or operator presents indisputable evidence that the tickets for which the vehicle was immobilized or towed were paid prior to booting or towing), the CSC supervisor or a PSA is authorized to waive immobilization fees and/or towing fees and to release the vehicle. If fees are waived, the employee waiving those fees must notify the towing firm and the Systems Management Division Commander by memorandum to assure proper release of the vehicle and disposition of the towing fee.

F. Notice by the Treasurer's Office

A *Notice of Intent to Issue Warrant* will be mailed by the Treasurer's Office, Compliance Division, to the owner of a vehicle registered in Virginia which has unpaid parking violations. This notice specifies the violation(s) and gives notice to the owner of their failure to comply with the instructions found on the parking violation. Failure of the owner to respond or comply may further result in the issuance of a summons, an arrest warrant, and/or the towing or immobilization of the vehicle and responsibility for all reasonable incidental costs.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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545.01 Weather-Related Traffic Emergencies

I. Policy

During weather-related traffic emergencies, emphasis is placed on ensuring a prompt response to all emergency situations, expediting the flow of traffic, and responding and dispensing with all accident calls as quickly as possible, using an abbreviated investigation procedure when necessary.

II. Definitions

- A. Severe Weather - The National Weather Service issues warnings for heavy snow, freezing rain, high winds, flash flooding, river flooding, thunderstorms, tornadoes, tropical storms, and hurricanes since all of these events are capable of presenting a threat to life and property.
- B. Severe Weather Emergency Plans - Provides guidance for and identifies the specific responsibilities of County agencies and employees during weather related emergencies.
- C. Traffic Emergency Plan #4 - Designates the names of streets within the County where parking is prohibited during adverse weather conditions. See [Arlington County Code - Chapter 14.2, Article V, Traffic Emergency Plan](#).
- D. Washington Area Warning System (WAWAS) - A 24-hour continuous private line telephone system used to convey various alerts and warnings to federal, state, and local governments.

III. Procedure


- A. Notification - Upon declaration, change, or termination of a severe weather/emergency closing the County Manager will notify the on-duty supervisor in the Emergency Communications Center (ECC) and the Chief of Police, who in turn, will be responsible for notifying all police department employees. Officers should be familiar with Arlington County Administrative Regulation: [Severe Weather/Emergency Closings](#).
- B. Weather warnings - The National Weather Service provides weather watches, warnings and advisories via the Washington Area Warning System (WAWAS). During weather emergencies this information will be transmitted by an ECC Supervisor to the Operations Division Watch Commander who will notify the Chief of Police and the County Manager of an imminent weather emergency.

- C. Snow Emergencies - The on-duty patrol supervisors should assign units, on a staggered basis, to report to the Trades Center for installation of tire chains when accumulation of snow necessitates such equipment.
1. [Traffic Emergency Plan #4](#) (TEP4) - The County Manager or his designee will declare and invoke TEP4 during regular business hours. Outside of these hours the Chief of Police and the Operations Division Watch Commander, after consultation with the Department of Environmental Services may declare and invoke Plan #4. If the emergency is declared during a time other than regular office hours, this information shall be communicated on the next regular working day.
 - a. When Plan #4 is activated, it should be announced by county-wide broadcast. Additionally, the ECC supervisor will be responsible for the following notifications and for advising the Operations Division Watch Commander when all agencies have received notification:
 - 1) Fire Department.
 - 2) Department of Environmental Services.
 - 3) Arlington Public Schools.
 - 4) Dominion Energy and PEPCO.
 - 5) Television and Radio Stations.
 - 6) Office of the County Manager – if declared during non-business hours giving date, time, and regulations stipulated in the declaration.
 - b. Persons authorized to declare and invoke Traffic Emergency Plan #4, after consultation with all interested parties, should terminate the plan when weather and roadway conditions no longer warrant the restrictions. When Plan #4 is terminated, the ECC supervisor must notify all persons listed under section a. above.
 - c. Obstructing traffic - The operator of any car not equipped with snow tires or chains is subject to the issuance of a traffic summons under [County Code §14.2-85](#) and towing if their car is parked or impedes the traffic flow on any designated [Snow Emergency Routes](#) where signage is posted. A sidewall mark of M+S (or M/S, M&S, MS) indicates an all-season tire that has been approved for use in mud and snow.
 2. Snow Removal and Salting - The Department of Environmental Services (DES) is responsible for coordinating snow removal and salting operations.
 - a. The Virginia Department of Transportation (VDOT) is responsible for maintaining all state roads which include Glebe Road, Old Dominion Drive, Lee Highway, Arlington Boulevard, Shirley Highway, Jefferson Davis Highway, Columbia Pike and parts of Fairfax Drive and Washington Boulevard.

- b. The County is responsible for maintaining all lesser roadways according to a predetermined plan which is on file in the ECC. The plan provides for the designation of three categories of roads which will be cleared according to priority:
 - 1) Primary roads -- approximately 60 miles.
 - 2) Secondary roads -- approximately 60 miles.
 - 3) Residential streets -- approximately 250 miles.
 - d. If emergencies necessitate a deviation from this policy, the individual in charge of snow removal operations at the DES must be contacted. Truck drivers are given strict instructions to follow route schedules given to them by their command center. The DES requests that police officers not ask drivers to deviate from those schedules.
- D. Patrol assignments - The Operations Division Watch Commander will coordinate patrol assignments to allow for the maximum utilization of all personnel. If the situation requires additional staffing, the Operations Division Watch Commander will be responsible for contacts to activate off duty officers.
- E. Essential Personnel – Inclement weather will occasionally require that County Services be curtailed. However, public safety agencies must continue to function. In accordance with *County Administrative Regulation: Severe Weather/Emergency Closings*, all essential personnel must report to work. Sworn officers and Emergency Communication Technicians (ECTs) who are scheduled or directed to work by their supervisor are considered essential personnel. Division and section commanders may specify additional individuals or positions as essential to meet their respective needs. Employees whose positions are designated as essential and who are unable to reach their assigned work location must notify their supervisor. In such instances, the employee will be charged with an appropriate type of leave.
- F. Emergency calls - The police department will receive all emergency calls and respond to emergency locations on a priority basis.
- G. Accident investigation - At the discretion of the Operations Division Watch Commander, standard procedures related to traffic accident investigation may be suspended and accidents may be cleared by distributing Driver Exchange Forms to all parties involved in an accident. Unless an injury or death has occurred, no accident report will be required, regardless of the amount of damage to the vehicles involved.
- H. Traffic congestion - Officers should notify their immediate supervisor if traffic becomes congested in any particular area in order that appropriate action may be taken to attempt to alleviate the situation.



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545.02 Traffic Related Services

I. Policy

To render all practical assistance to the disabled or distressed motorist. Each member of this department shall, unless actively engaged in a priority assignment, render assistance to the motoring public experiencing a mechanical failure or other emergency situation.

II. Procedure

- A. Mechanical Assistance and Towing Service - When assisting a motorist in obtaining emergency road service, an officer will:
 1. Request, via Emergency Communications Center (ECC) administrative channel dispatcher, the service of the citizen's choice if:
 - a. A timely response can be obtained from the requested firm, and
 - b. Conditions do not merit immediate removal.
 2. Request, via ECC administrative channel dispatcher, the service of the County contract crane, if:
 - a. The owner's choice of service cannot respond in a timely manner.
 - b. Hazardous or traffic conditions merit immediate removal.
 - c. The citizen has no preference regarding the selection of a service.
 3. Provide the ECC administrative channel dispatcher with the following information when a crane is requested:
 - a. Request is made on the owner's behalf.
 - b. License plate information including state and year of expiration;
 - c. Make, model and year of vehicle;
 - d. Color and style of vehicle
- B. Persons Stranded on the Highway - All practical assistance should be given to an individual in this situation, including:
 1. Serving as a communications link between the motorist and service facilities.
 2. Providing adequate warning devices to prevent accidents or any criminal acts.

3. Transporting the motorist to a safe place to await the arrival of assistance. All transports should be made only after the approval of a supervisor and notification of the ECC.
 4. Prior to clearing the scene of a disabled motorist an officer will take into consideration existing traffic hazards, location, time of day, weather conditions, and pending calls for service. When an officer must clear the scene of a disabled motorist they should attempt to place traffic control devices such as traffic cones, triangle kits, or flares to warn oncoming traffic; if conditions are such that this can be done safely. When possible officers should periodically check to ensure conditions have not deteriorated.
- C. Highway Emergencies - Officers shall render all practical assistance to users of the highways who are involved in emergency situations.
1. Vehicle Fires - Upon discovery of a vehicle fire, officers will immediately advise the dispatcher of the following information:
 - a. Location of the accident.
 - b. Entrapment.
 - c. Type of vehicle.
 - d. Extent of the fire.
 - e. Potentially hazardous cargo.

The dispatcher will notify the fire department of these facts so that an appropriate fire department response can be made.

The officer on the scene shall assess the hazards present and take immediate action to prevent further damage to property or life. Factors to be considered include the possibility of explosion, the immediate surroundings, traffic conditions, etc. Immediate action may range from simply warning or diverting traffic up to and including complete evacuation of the immediate area.

Upon arrival of the fire department, the officer on the scene shall relinquish control to the senior fire department official. The officer shall assist the fire department until the emergency has been resolved and the hazards cleared.
 2. Medical Emergencies - Upon discovery of a medical emergency, the officer shall request a fire department medic unit. When requesting a medic unit the following information will be given to the dispatcher:
 - a. Type of emergency.
 - b. Location.
 - c. Condition of patient.
 - d. Any other information available regarding the emergency.

After notifying the dispatcher of the nature of the emergency, the officer shall render as much assistance as possible. The officer must be aware of limitations due to training and experience and should exercise caution in not becoming involved in a level of treatment beyond the officer's capacities. It shall be the responsibility of the officer on the scene to document the incident by making appropriate reports.

D. Escorting of Vehicles – The department will provide escorts of privately owned vehicles under specific circumstances to ensure the safe and efficient movement of traffic and the safety of the community as a whole. Examples of these escorts are:

1. Hazardous Cargo;
2. Oversize Loads;
3. Parades and Special Events;
4. Dignitaries and Government Officials;
5. Funerals.


Officers shall not escort any vehicle or chain of vehicles without prior authorization by a supervisor or at the direction of a police dispatcher.

Officers are prohibited from providing escorts for privately owned vehicles during medical emergencies. When an officer encounters a medical emergency, the officer should notify the dispatcher who will dispatch a fire department medic unit to provide transportation.

Nothing within this section prohibits officers from assisting lost motorists. If such an assist requires the officer to leave his assigned patrol area, permission shall be obtained from the dispatcher or a supervisor.



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551.01 Inspectional Services

I. Policy

Inspections provide a means of regularly assessing the department's efficiency and effectiveness as well as identifying and providing information necessary to remain with present programs or plan for change. The inspectional process achieves these goals by comparing the department's expectations with actual performance. The department's performance can be properly evaluated only by comparing it with previously established goals, objectives, policies, procedures, rules and regulations.

II. Definitions

- A. Inspectional Process - A mechanism for evaluating the quality of the department's operations, ensuring that the department's goals are being pursued and identifying the need for changes.
- B. Line Inspection – The checking or testing of persons, facilities, equipment, procedures, or other items by personnel who are in control of the elements which are being inspected. Line inspections are a primary responsibility of all supervisors at every level in the department. Line inspections are an ongoing activity to ensure that employees are adhering to departmental requirements on appearance, use and maintenance of equipment and facilities, and adherence to departmental policies and procedures.
- C. Staff Inspection – The checking or testing of persons, facilities, equipment, procedures, or other items by personnel who are not in control of the elements which are being inspected. Staff inspections provide an objective evaluation of departmental procedures, facilities, equipment and personnel outside the normal supervisory and line inspection procedures and the chain of command. The emphasis is on evaluating the system rather than an individual. Staff inspections should be conducted annually, unless otherwise noted. The Office of Professional Responsibility is responsible for the Staff Inspection function. Personnel conducting a staff inspection operate through the authority of the Chief of Police but have no command authority over departmental employees.

III. Procedure

- A. Line Inspections - Each supervisor is responsible for the inspection of personnel, activities and equipment under their supervision and the initiation of suitable action in the event of a failure, error, violation, misconduct, or neglect of duty by a subordinate. The frequency of an inspection depends on the purpose of the inspection. On a daily basis, an employee's appearance,

demeanor and use and maintenance of equipment are subject to inspection, but usually informally by way of roll call or observation by the supervisor.

Less frequent, such as monthly, quarterly or annual, inspections will be done on equipment, facilities and organizational components or functions. Each of these inspections requires a written report be given to the Division Commander. A written report is also required for any inspection which results in the need for corrective action.

Supervisors will conduct both announced and unannounced line inspections. These inspections will be conducted according to established departmental policy and based on a predetermined list of items which are to be inspected. Supervisors will be responsible for identifying areas which need to be corrected, establishing a realistic time period for the correction, and ensuring that the correction is made. Failure to take corrective action may result in disciplinary action against the supervisor and/or the employee.

B. Staff Inspections - The department's standard, recurring staff inspections shall be performed by the Office of Professional Responsibility or their designee. These inspections include:

1. An annual inspection of all departmental vehicles
2. An annual inspection of departmental buildings and fixtures.
3. An annual Property Room audit and a bi-annual inspection of property storage areas.
4. A bi-annual Mobile Data Terminal (MDT) audit.
5. An annual Off-Duty Employment Audit.
6. An annual inspection of the Organized Crime Section - Evidence Fund, Expense Books, and Vault Audit.
7. An annual inspection of Professional Standards.

The Chief of Police may order additional inspections as management needs require. These additional inspections may be performed either by an official in the Office of Professional Responsibility or by another official explicitly designated by the Chief of Police.

Inspecting officials may direct questions to any employee of the department, and shall have full access to all of the department's physical facilities, including closets, storage areas, enclosures, drawers, file cabinets, vehicles, and similar locations.

If an employee believes that a specific location contains confidential information or materials that should not be viewed by an inspecting official, the commander of the component under inspection may request exemption from the Chief of Police.

Staff inspections shall focus on functions, systems, or organizational entities, with an emphasis upon facilities and equipment rather than upon individual employees. The inspecting official is not authorized to initiate disciplinary action against any employee who is determined by the inspection to be in violation of departmental regulations.


Such violations shall, however, be noted in the inspection report described later in this sub-section. In addition, the employee's Division Commander will be informed of the violation via memorandum, in order that appropriate corrective action can be taken.

- C. Post-Inspection Requirements - Following each staff inspection, the inspecting official shall submit a written report of his or her findings to the Chief of Police. The report shall include:
1. An overall assessment of the inspection results.
 2. A listing of major deficiencies.
 3. A listing of particularly commendable findings.
 4. Suggestions and recommendations, where appropriate.

Staff inspections which identify significant deficiencies shall be followed by a re-inspection within a reasonably short period of time. These re-inspections shall examine only the previously identified deficiencies, in order to ensure that they have been corrected. Re-inspections shall not be required following any staff inspection in which no major deficiencies were noted, or if waived by the Chief of Police.



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Accreditation Standard(s): ADM.18.02, ADM.18.03, ADM.18.04			

551.02 Complaint Processing & Investigations

I. Policy

It is the policy of the Arlington County Police Department to provide citizens with a fair and effective avenue for redress of their legitimate complaints against department employees, to protect employees from false charges of misconduct or wrongdoing, and to provide accused employees with due process safeguards.

To maintain the integrity of the department and its employees, and to ensure the ability of sworn officers to present evidence in court, the department will take appropriate action regarding employees who have violated laws, ordinances, and department rules and regulations; to dismiss employees who prove to be unfit for police work; and to dismiss unjustified or not sustained allegations against innocent employees.

Complaints will be documented, investigated and adjudicated. A record of these complaints will be kept by the Office of Professional Responsibility (OPR). These records will be kept confidential and are not subject to the Freedom of Information Act and will not be retained with any personnel record or central records system. Statistical summaries, based on the records of the OPR will be compiled on an annual basis and a report filed with the Chief of Police.

II. Definitions

- A. Complaint - An allegation of employee misconduct or wrongdoing, or the expression of dissatisfaction with a department policy or practice.
- B. Investigation - Any action which is taken to resolve a complaint made against an employee or the department.

III. Procedure

- A. The Office of Professional Responsibility is responsible for:
 - 1. Supervising and/or controlling the investigation of alleged or suspected misconduct within the department
 - 2. Conducting other investigations as assigned by the Chief of Police.
 - 3. Maintaining the confidentiality of internal affairs investigations and records.

4. Advising the Chief of Police of possible personnel actions, up to and including termination, that results from, or may arise from, internal investigations.
- B. Receiving a Complaint - Procedures for registering a complaint will be available to the public. Each complainant will be made aware of the procedures at the time the complaint is made.
1. Complaints will be accepted in person, or by mail, telephone, fax, or email. If the complainant cannot file the report in person, police personnel may meet with the individual at a mutually convenient location in order to complete the report.
 2. Complaints will be accepted from anonymous sources, juveniles and persons under arrest in police custody as long as the complaint contains sufficient factual information to warrant an investigation. Citizens making complaints regarding employees of other law enforcement organizations, should be referred to supervisors in those organizations.
 3. All citizen complaints should be recorded on the Personnel Complaint Form. Although this form is intended for complaints against an employee, it may also be used for complaints about a policy or practice of the department. Except for anonymous complaints, the complaint form should be signed by the complainant, but a signature is not mandatory to initiate an investigation.
 4. Registering, receiving, accepting or recording a complaint does not imply legitimacy of the complaint. No effort should be made to prevent a citizen from making a complaint which is not legitimate, nor can we always determine that the complaint is not legitimate until after it has been investigated.
 5. Each complaint will be acknowledged (via letter, telephone, or e-mail). The complainant will be informed of the individual investigating the complaint; the complainant will be kept informed of the status of the investigation; and the complainant will be informed of the final disposition of the complaint, including the fact that corrective or disciplinary action was taken by the department.
 6. The Chief of Police will be informed, through the chain of command or the Office of Professional Responsibility, of all complaints made against an employee or the department. Allegations of criminal conduct will be brought to the immediate attention of the Chief of Police. Division Commanders will be notified of complaints made against personnel assigned to their division.
- C. Conducting an Investigation - Investigations will be conducted by a supervisor, an employee of the Office of Professional Responsibility, or anyone designated by the Chief of Police, Acting Chief of Police, or Division Commander. No investigation will be conducted by non-supervisory personnel without approval by the Chief of Police or the Acting Chief of Police.

1. Certain types of complaints shall be investigated by the Office of Professional Responsibility. These include complaints involving criminal activity, use of excessive force, discrimination, sexual harassment or as assigned by the Chief of Police or Acting Chief of Police. In cases where these investigations may be hampered by delay, they may be performed by those so designated in this procedure. In this event, the results of the investigation will be forwarded as soon as possible to the Office of Professional Responsibility for review.
2. Likewise, certain types of complaints will be investigated by other unit or section supervisors. These include complaints about an employee's appearance, demeanor, use of department equipment, dereliction of duty, propriety of the employee's action, or as designated by the Division or Section Commander. Completed investigations will be sent to the Office of Professional Responsibility for review.
3. Types of complaints not specifically mentioned above will be forwarded to the appropriate Division Commander for assignment.
4. Complaints about department policy can often be resolved during the initial contact with the complainant. Clarification of our policy or an explanation of our authority is sometimes all the complainant needs. If the complaint is not resolved initially, the matter will be forwarded to the appropriate Division Commander for resolution.
5. Early in an investigation, the department must decide whether the complaint will be investigated under administrative procedures or the criminal process.
6. An employee who is the subject of an internal administrative investigation is required to cooperate with the investigator. An employee who is the subject of a criminal investigation is not obligated to provide information which may later be used against the employee in support of a criminal charge unless a waiver of rights is obtained.
7. Under no circumstances will an investigation be conducted which employs unlawful methods, coercion or devices which, would not be upheld in a court of law. Supervisors assigned to conduct an administrative investigation into potential misconduct shall complete a thorough and professional inquiry into the allegation and submit a detailed report outlining the complaint, investigative measures and recommended findings. The failure of a supervisor to conduct an appropriate investigation as determined by Command Staff and/or the Office of Professional Responsibility may result in disciplinary action.
8. Each complaint shall be investigated to its logical conclusion and the investigation results properly placed into the appropriate category of completed cases.
9. Unless an extension is granted by the Chief of Police, an investigation will be completed within thirty (30) days. Status reports will be given to the Office of Professional Responsibility, if the investigation will require more than 30 days to complete.

10. Records pertaining to an investigation will be kept confidential and secure by the individual doing the investigation. Upon conclusion of the investigation, these records will be given to the Office of Professional Responsibility to be retained.
11. The Office of Professional Responsibility will maintain liaison with the Office of the Commonwealth's Attorney, the County Attorney, County Human Resources Department, County EEO Assistant, and other affected personnel as required by the type of investigation. Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution.
12. When an employee is notified that he or she is the subject of an Office of Professional Responsibility investigation, the employee will be given a written statement of the allegations and the employee's rights and responsibilities relative to the investigation. Investigations should be conducted in accordance with the Police Officers Bill of Rights as outlined in [Virginia Code § 9.1-500 et seq.](#)
13. An employee who is the subject of an internal administrative investigation may be required to undergo a medical or laboratory examination at the department's expense; be photographed or appear in a line-up; or submit a financial disclosure statement. These actions will be mandated only by the Chief of Police or the Acting Chief of Police after the investigator has sufficiently demonstrated the need for such action.
14. An employee will not be required to submit to a polygraph examination as part of the investigation unless directed by the Chief of Police or Acting Chief of Police and refusal may result in disciplinary action.

D. Completion of Investigations


1. Classifications - The investigator will classify the incident using one of the following:
 - a. Sustained - allegation is supported by sufficient evidence to justify a conclusion of guilt based on a preponderance of evidence standard.
 - b. Not Sustained - insufficient evidence to either prove or disprove the allegation.
 - c. Exonerated - incident occurred, but was lawful and proper.
 - d. Unfounded - allegation is false or the action did not involve a police employee.
2. Conclusions - In addition to one of the above classifications, the investigator may note any or all of the following in conjunction with the conclusion:
 - a. Policy failure - allegation is true, and although the action of the employee or department was consistent with department policy, the complainant suffered harm.

- b. Misconduct not based on original complaint - incident involved improper action not previously identified.
 - c. Training deficiency - employee's conduct was due to inadequate or improper training.
- 3. Letters of corrective or disciplinary action or termination pertaining to sustained complaints will be placed in an employee's personnel record.
- 4. Administrative Leave or Termination of Employment - An officer who has been placed on administrative leave without pay or terminated as a result of an internal disciplinary or criminal investigation shall be directed by OPR to return **all** department issued property. The following property items should be collected immediately:
 - a. Identification and badge case containing police identification card and badge;
 - b. Uniform badge;
 - c. Any task force badges, cover identification(s), or law enforcement identification issued or provided by another agency to the officer for execution of related duties.
 - d. Proximity card including photo identification;
 - e. Portable Radio;
 - f. Assigned vehicle, keys, and gas card;
 - g. Department issued weapon(s) – ***two supervisors are required to accomplish this task;***
 - h. Ballistic vest;
 - i. All uniform outerwear containing any embroidered police patches, badges, or the word "Police" imprinted on them.
 - j. Any other department issued property specified by the Chief of Police or the officer's Division Commander.

If all departmental property is not immediately available for turn-in, the employee shall be responsible for returning all remaining property to the Evidence/Inventory Management Unit within 24-hours of the suspension or termination notification and advise OPR when this task has been completed.



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560.02 Mobile Data Terminal

I. Policy

The use of Mobile Data Terminal (MDT) is governed by operational procedures established by the police department. Training is mandatory before an employee is authorized to utilize an MDT.

II. Definition


Mobile Data Terminal (MDT) - A generic term for a laptop computer designed to transmit and receive information by using an assigned radio frequency between a base station and a vehicle equipped to receive and transmit the information.

III. Procedure

- A. Officers assigned an MDT should sign on the system at the beginning of their tour of duty and sign off the system at the end of their tour of duty.
- B. The vehicle driver will not use the keyboard while the vehicle is in motion; however, a passenger may.
- C. Officers are responsible for the security of their MDTs. In vehicles equipped with a docking station that has a lock the officer should secure the MDT to prevent theft. The MDT will be removed from the vehicle at the end of an officer's tour of duty as well as when the vehicle is left unattended for an extended period of time, to include routine maintenance conducted by the DES Equipment Bureau or when left at another repair facility. Additionally, MDTs will be removed from a docking station of assigned take home vehicles and may be placed in the trunk when the vehicle is not being used.
- D. All MDT transmissions are subject to monitoring and will be kept on a professional level. Use of any obscene, racist, indecent, or profane language is prohibited. A violation of this subsection can result in disciplinary action.
- E. Cleanliness - The MDT shall be kept clean and dry. Extra caution must be used when eating or drinking near a MDT. Spills should be cleaned as soon as possible.
- F. Repairs – Officers who experience a performance problem with an MDT shall submit a Help Desk ticket and return the device to Public Safety Information Technology (PSIT) Office for repairs
- G. Special Conditions - Positive responses to inquiries on stolen property or vehicles, wanted persons, and suspended or revoked permits, must be verified through the ECC and a printout obtained by the officer for further use.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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560.05 Key and Access Card Systems

I. Policy

The department's access card system provides staff access to the justice center and into other secure or restricted areas of the building where entry is authorized. The police department also utilizes an electronic key management system to safeguard and account for special purpose keys and spare access cards.

II. Procedure

A. Card Issue/Key Access

1. Employees are issued access cards that are programmed to allow them access to areas appropriate to their assignment.
2. The KeyWatcher, key storage and management system is managed by the Special Services Unit (SSU) and provides employees with a central location where they can access special purpose and spare keys necessary to carry out their assignments.

B. Key Security

1. Employees authorized to remove keys and access cards from the KeyWatcher cabinet must log into the system. The KeyWatcher system requires an ID number and PIN for each user:
 - a. Sworn personnel will use their 4-digit badge number as their ID number.
 - b. Civilian personnel will be assigned a 4-digit ID number by the Special Services Unit (SSU).
 - c. First time users will enter 1234 as their PIN and must change their PIN after logging in to the system for the first time, which is accomplished by using the KeyWatcher keypad. After their initial login a user may retain or change their PIN number whenever they see fit.
2. Employees may not check out keys or access cards for other people.
3. Employees shall contact their supervisor if keys cannot be retrieved from the KeyWatcher system.
4. Keys shall be returned to the KeyWatcher system no later than the end of an employee's shift.
5. Spare access cards shall be returned no later than the beginning of an employee's next shift.


6. Evidence locker keys shall be placed in locker #119 in the temporary evidence room as soon as all evidence processing has been completed. If processing takes more than one day, the officer is responsible for the safekeeping of the key until all evidence has been secured. If no evidence has been placed in the lockers, evidence keys should be returned to the KeyWatcher system as soon as possible. Keys not returned to the KeyWatcher system will be noted in the SSU monthly audit for follow up with the employee.
7. An employee leaving the department shall contact the SSU supervisor, as required in the employment clearance checklist, and the employee's privileges to remove keys shall be terminated. User privileges may be suspended when authorized by either the Chief of Police, the Office of Professional Responsibility, or when necessary to maintain security of the facility.
8. In the event of a power outage, the KeyWatcher system has a 72-hour battery backup. If the battery backup fails, an emergency key to open the KeyWatcher cabinets is stored at the Customer Service Counter in the drawer labeled "KeyWatcher."
9. Keys may not be duplicated for any reason without written authorization from the Commander of the Support Management Section.

C. Accountability

1. The SSU supervisor or their designee will conduct monthly audits of the KeyWatcher system. Any key that has been signed out for an unusual amount of time will be noted, and the auditor will follow up with the employee responsible for signing out the key.
2. If a key has been lost or stolen, the employee who checked out the key shall submit a memorandum through their chain of command, to the SSU sergeant.
3. Employees may be held responsible for the replacement cost of lost keys, Smartkeys, and access cards.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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560.06 Mobile AFIS Scanner

I. Policy

The use of the mobile Automated Fingerprint Identification System (AFIS) scanner shall be for law enforcement purposes only and done in a manner consistent with federal, state, and local laws. When an officer has stopped an individual that is not under arrest, consent to scan their fingerprints must be obtained either verbally or in writing. A person may revoke their consent at any time during the scanning process. If the person refuses to allow their fingerprints to be scanned, no scanning will be conducted unless probable cause for a custodial arrest is present or a search warrant is obtained. Individuals who are deceased, unconscious, or unable to give consent, but are in need of assistance may be scanned for identification purposes only.

II. Definition

Mobile AFIS Scanner – A handheld device that scans, captures, and wirelessly transmits a fingerprint, of either the right or left index finger, to a remote database for analysis, in order to accurately verify the identity of an individual.

III. Procedure


The use of the mobile AFIS scanner is intended to provide law enforcement personnel with an automated method of identifying persons who cannot provide other means of identification or to provide a verification of the presented identification documents. The search is conducted against a criminal database.

- A. The system searches fingerprint images against regional databases (e.g., NOVARIS, DCAFIS, & RAFIS).
 1. If the individual has been processed within the region, a positive notification should be returned. The return will consist of the basic demographic and mugshot information that is available. In some cases, the system may return an identification number only. In this case, contact the Forensic Identification Unit during normal business hours for additional information associated with the identification number. If no match is found, the return message will indicate that there is no record on file.
 2. A positive return is an indication of prior police contact and ***not*** considered probable cause (PC) for an arrest. Verification and/or additional information (i.e. VCIN, local record checks) should be completed to fully verify the identification.

- B. The scanner can only hold up to five individual images. Images can be deleted from the system manually or the images will be permanently deleted from the system when the handheld device is turned off or the software on the MDT is closed.
- C. Under no circumstances shall officers share mobile AFIS data with any non-law enforcement agency.
- D. Mobile AFIS Scanners will be assigned to various units within the department. Officers who have not been assigned a device may access spare devices from the KeyWatcher system. Spare devices shall be returned to the KeyWatcher system no later than the end of an officer's shift.
- E. When using a mobile AFIS scanner in the field it is recommended that two or more officers be present at the stop before the unit is utilized to ensure the safe handling and control of the individual during the fingerprint scanning process.



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560.07 Electronic Communications and Internet Services

I. Policy

Employees accessing and using department electronic communications and internet services will do so in a manner consistent with County policies, applicable laws, and job responsibilities. This directive is designed to protect the department's computer networks and data assets against unauthorized and malicious use as well as to prevent potential misuse of County resources.

II. Procedure


All employees are responsible for abiding by the acceptable and unacceptable uses of computer resources, owned or leased by the County, and made available to employees as outlined in this directive and Arlington County [Administrative Regulation: 2.10 Electronic Communications and Internet Services](#).

- A. Ownership and Privacy - All information generated, transmitted or stored by users on County equipment is the property of the County and, therefore, is not considered private and may be accessed by authorized County employees without prior authorization by the user.
- B. Monitoring – The monitoring of a specific activity, or an individual's use, of a County computer may be performed without consent or knowledge of the individual and is routinely maintained on a server log.
- C. Software Licenses - Only legally procured software assets that have been properly licensed will be installed on department computers. Employees will be held accountable for unlicensed programs they install on County owned computers.
- D. Virus Protection - All reasonable precautions shall be taken by users to ensure that viruses are not introduced into any file, network, or item of equipment. No user shall intentionally disable any anti-virus program or device installed on their computer by the County. Any user who becomes aware of a virus threat shall inform PSIT or the DTS Help Desk.
- E. Internet Use - Employees may access the internet for personal use provided that such access does not interfere with the user's work performance.
 - 1. Supervisors may restrict or terminate a user's personal internet privileges where, in the opinion of the supervisor, those privileges have been abused.

2. The following types of websites shall not be accessed unless access is related to a law enforcement investigation:
 - a. Websites that are pornographic or sexually explicit in nature.
 - b. Websites containing abusive, harassing, or discriminatory content, to include all bias-based and hate-based websites.
 - c. Websites associated with a user's personal business, secondary employment, or other profit-making venture.
 3. Internet access on an MDT is limited to those sites that have the approval of the Chief of Police.
- F. E-mail Use - Employees may use their County provided e-mail address to send and receive official business communications and personal communications. Emails sent/received using electronic communications equipment provided by Arlington County may be monitored and are subject to access by the public just like any other public record.



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562.02 Drug Analysis and Certificates

- I. **Policy** – Certificates of Analysis, issued by Virginia Department of Forensic Science, related to drug case investigations, are filed with the courts by the Office of the Commonwealth's Attorney.
- II. **Code Requirements**
 - A. [§ 19.2-187. Admission into evidence of certain certificates of analysis.](#)
 - B. [§ 19.2-187.01. Certificate of analysis as evidence of chain of custody of material described therein.](#)
 - C. [§ 54.1-3431. Admission into evidence of certain certificates of analysis.](#)
- III. **Procedure**
 - A. The Virginia Department of Forensic Science (DFS) sends all original Certificates of Analysis (COA) in drug cases directly to the Office of the Commonwealth's Attorney (CWA) along with a copy of the COA to the investigating officer who submitted the Request for Laboratory Examination.
 1. The CWA confirms receipt of all Certificates of Analysis with the DFS Northern Laboratory.
 2. All COAs are scanned into an electronic database maintained by the CWA.
 3. The original COAs are delivered by the CWA to the clerk of the court, hearing the case, for certification.
 4. Certified copies of COAs are then scanned into an electronic database maintained by the CWA.
 5. The certified copy of the COA will then be provided to the Assistant Commonwealth's Attorney assigned to the case for inclusion in their case file.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 14, 2018	Amends/Supersedes: April 2, 2012 January 25, 2007	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.02.01, OPR.02.03			

563.01 Digital Forensics

I. Policy

Only department employees who are trained in the proper handling and collection of computers, tablets, cellular phones or other data storage devices shall examine such items for evidence as part of an investigation.

II. Definitions

- A. Computer Media - CD, DVD, Blu-ray disc, floppy disk, or external hard drive. Any tape or other type of media used to store data.
- B. Computer System - computer monitor, CPU, hard drive, I/O device, modem, CD, DVD, Blu-ray, or floppy drive configured to work together as a unit or cabled together externally.
- C. Digital Device - A physical unit of equipment that contains a computer or microcontroller including, but not limited to; smartphones, tablets, computers, cameras, smartwatches, video game platforms (i.e. Xbox, PlayStation, Wii, etc.)
- D. Digital Forensic Examiner - A sworn member of the agency specifically trained in the techniques of computer/digital data recovery and seizure. Successful completion of departmentally approved training which certifies the examiner in the processing and collection of digital evidence shall constitute the required training.
- E. Peripheral Devices - CD, DVD, Blu-ray, floppy drive, tape drive, USB Drive, Removable Memory Cards, or any other hardware device used to store data that is not currently connected to an operating system.


III. Procedure

- A. Collection of Devices with Digital Evidence - When it is determined that a digital device, such as a cell phone, computer, tablet, camera, etc., containing evidence is to be seized, agency personnel will contact a member of the Digital Forensics Unit (DFU) or a properly trained department member for assistance.
 - 1. Personnel will complete a DFU "Request for Service" form when requesting the examination of a digital device. Prepare one DFU "Request for Service" for each location searched.
 - 2. Request the passcode/PIN to the device and include it on the DFU "Request for Service" form.

3. All items to be submitted to the DFU for examination must be packaged separately from other evidence.
 4. Provide the following documents as they apply with each submission:
 - a. The **original** search warrant.
 - b. A copy of the affidavit.
 - c. A copy of the Statement of Material Facts.
 - d. Or, a copy of the consent form.
 - e. Or, a copy of the court order.
- B. Forensic Analysis - Only a department digital forensic examiner shall process seized systems, devices, and media for evidence since digital devices can be corrupted by destructive programs which can alter and destroy evidence and accessing files and programs can also alter file access dates that can be critical as evidence.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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564.01 Telephone and Online Reporting Unit

- I. **Policy** - The Telephone and Online Reporting Unit accepts certain types of police incident reports by telephone, through the mail, and over the Internet. This service frees greater numbers of patrol officers for interaction with the community, follow-up investigations, preventive patrol, and response to emergency calls. It also provides citizens with a convenient and timely process to file reports and/or add supplemental information to previous reports.
- II. **Procedure**
 - A. The Telephone Reporting Unit (TRU) - The TRU take reports, via the telephone, that are related to minor crimes that do not require any field investigation.
 1. Emergency Communications Center (ECC) - The ECC has been directed that when a call is received that qualifies for telephone or online reporting, the caller should be informed about the availability of TRU, and invited to submit a report online or via the telephone (a list of qualifying calls appears in section B. of this directive). Callers wanting to utilize the TRU shall be given the web address and phone number of the unit. If the citizen is physically located within Arlington County and would prefer to speak to an officer, an officer shall be dispatched to take the report in person.
 2. Telephone Reports - Calls to the TRU will be routed directly to voicemail. The outgoing voicemail message will provide citizens with instructions on how to submit an online report. Citizens will also be given the option to leave a message and will be advised, through the voicemail, that it could take up to two (2) business days to receive a return call.
 3. Walk-in Reports - Citizens who walk-in to the Customer Service Counter to file a police report should be treated in the same manner as a person calling the police non-emergency number. When the TRU staff is available, they will take the report in person. If TRU staff is not available or the report requires an immediate investigation, the ECC shall be contacted and a patrol officer will be requested to respond.
 4. Mail-in Reports - Citizens are permitted to mail qualifying reports to the Police Department, if they prefer. The TRU shall mail appropriate forms to citizens making this request, and shall then review the returned reports when they are received by the police department.

If a mailed report is found to be insufficient, TRU shall attempt to contact the citizen and correct the deficiency. If contact cannot be made, the report shall be referred to a supervisor, who may then reject the report and return it to the citizen via U.S. mail, or arrange for it to be filed with the Records Management Unit, as appropriate.

5. Online Reports - The ACPD's website allows citizens to file online police reports. TRU personnel shall review reports filed online, and shall subject them to the same review and approval criteria stipulated above for mailed reports.

B. Qualifying Calls - The following types of incidents qualify for acceptance and processing by the TRU:

- Additional information.
- Assault (late).
- Defrauding an innkeeper.
- ID Fraud/Theft.
- Larceny (***except*** larceny by check, auto larceny, and license plates).
- Misdemeanor (late).
- Obscene, threatening or abusive telephone call.
- Suspicious activity.
- Vandalism.
- Other: consideration will be given when a caller is not in Arlington and it is neither practical nor necessary for the caller to come to Arlington or for an officer to go to the caller's location.


Types of incidents that do not qualify for acceptance and processing by the TRU include any incident not appearing on the above list, as well as any above-listed incident in which one or more of the following conditions exist:

- Offense is in progress.
- Offender is at scene or the probability of immediate apprehension exists.
- Suspect is known and is at scene or in the immediate area.
- Physical evidence probably exists.
- Witness to be interviewed.
- Facts appear to warrant a field unit response.
- Apparent need for on-scene investigation.
- Offense is in combination with a non-TRU reportable offense.
- Caller insists on seeing a police officer.

In addition, an officer who is on the scene of an incident should take a report if appropriate and not refer citizens to the TRU. This requirement applies regardless of whether the officer was dispatched or discovered the scene during routine patrol.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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570.01 Incident Command System

I. Policy

An Incident Command System (ICS) shall be established at the scene of every emergency incident meeting the criteria described in this directive in order to enhance the safety and welfare of emergency workers and the community and to provide for the effective management of personnel and resources at such emergencies.

II. Definitions

- A. Incident – An occurrence or event, natural or human-caused, which requires an emergency response to protect life or property.
- B. Incident Action Plan – An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods. Despite the fact that such directives may be verbal during the initial stages of the event, they should be developed in written form upon scene stabilization.
- C. Incident Command System (ICS) – A standardized on-scene emergency management program that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, specifically designed to aid in the management of resources.
- D. Incident Commander – Usually the highest ranking supervisor on the scene, except when that officer has explicitly delegated incident command to a lower ranking officer. When two or more supervisors of equal rank are present, the supervisor whose primary assignment is most closely associated with the type of incident shall assume command. (*See 537.04 – Emergency Response Team*)
- E. Incident Command Post – The functional point where the command staff can meet to evaluate the situation and exercise overall command. Location of the command post (CP) shall be designated by the Incident Commander and announced by the Emergency Communications Center (ECC). The Mobile Command Post (MCP) is a valuable asset in major incidents and may be used as the Incident Command Post. It provides enhanced communication capabilities and a safe, sheltered environment in which to conduct operations.

- F. National Incident Management System (NIMS) – A federally mandated system that provides a consistent nationwide approach for Federal, State, local, private sector, and non-governmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity.
- G. Unified Command – In large multijurisdictional events, the Unified Command organization consists of the Incident Commanders from the various jurisdictions or agencies operating together to form a single command structure.

III. Procedure

- A. National Incident Management System (NIMS) - Provides a consistent nationwide approach for agencies to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents regardless of cause, size or complexity. Arlington County is a practitioner of NIMS. The program's strongpoint is that it integrates existing "best practices" into a consistent approach to domestic incident management.
 - 1. The [Arlington County Emergency Operations Plan](#) adheres to the uniform "best practices" agenda. The plan adopts from NIMS several important "transitional steps" that are necessary to apply an Incident Command System (ICS) in an incident environment, to include:
 - a. Recognizing and anticipating the requirement that organizational elements will be activated and take necessary steps to delegate authority as appropriate.
 - b. Establishing incident facilities as needed, strategically located, to support field questions.
 - c. Establishing the use of common terminology for organizational functional elements, position titles, facilities, and resources.
 - d. Rapidly evolving from providing oral direction to the development of a written Incident Action Plan.
 - 2. Incident Command System Objectives
 - a. Protect life.
 - b. Provide for the safety, accountability, and welfare of personnel.
 - c. Stabilize the incident.
 - d. Apprehend the offenders, if any.
 - e. Protect property.
 - f. Investigate the crime and collect the necessary evidence to support a prosecution.
 - g. Ensure that information concerning the incident is relayed to appropriate individuals in the community, government, and media.

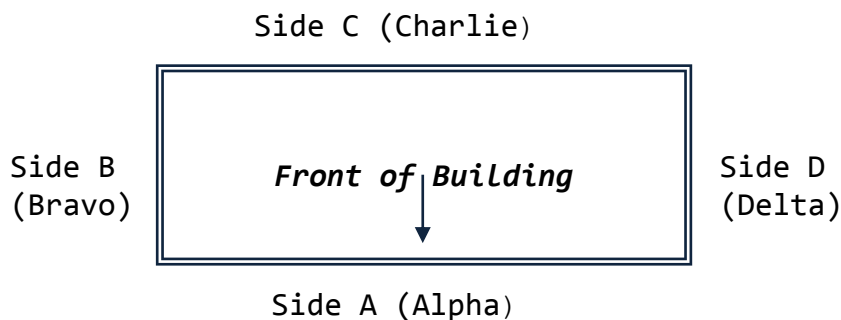
- B. Establishing Command - Officers who become aware of a situation where people are placed at risk for injury or death, or which significantly threatens the public peace and order, shall immediately take command of the situation and request a supervisor respond to the scene. This applies during general patrol and also at scheduled events where the police role had previously not involved command authority. Upon arrival the supervisor shall assess the situation and activate the applicable portions of the Incident Command System (ICS) if:
1. There is a need to coordinate the efforts of officers or units who do not normally work together, or
 2. Multiple supervisors are needed to handle various aspects of an incident, or
 3. The incident is likely to become a prolonged inter-jurisdictional or inter-agency incident.
- C. Functions of Command - Personnel who assume command of an ICS incident shall:
1. Announce that command has been assumed and establish an effective command post.
 2. Rapidly evaluate the situation.
 3. Initiate, maintain, and control the communications process.
 4. Develop an incident action plan (*see II. Definitions*) and assign personnel accordingly.
 5. Review, evaluate, and revise the action plan as needed.
 6. Provide for the continuity, transfer, and termination of command.
- D. Levels of Command - The organizational structure used to handle an ICS incident will vary in size and complexity depending upon the nature and scope of the incident. For example, a large terrorist incident that involves numerous agencies would obviously require a more complex organizational structure than would a serious traffic accident handled by a single police department.
- E. Transferring Command - The first supervisor arriving on the scene shall automatically assume command. As they arrive on the scene, higher ranking commanders may choose to assume command of the incident, assume an advisory role, or delegate command for training purposes with the understanding that they retain overall responsibility for the conduct of the incident. Upon the arrival of a higher ranking official, the Incident Commander shall ask the arriving official whether he desires to assume command. It is critical that the identity of the Incident Commander be clear at all times.

When being relieved, the outgoing Incident Commander shall thoroughly brief the incoming Incident Commander. Unless precluded by operational necessity, this briefing shall take place in person rather than by radio. The new Incident Commander shall inform the ECC of the command transfer via radio. The ECC shall record this transfer of command in the CAD record of

the incident, and shall inform all operational components engaged in the incident, of the new commander's identity.

- F. Organizational Structure - As stated in sub-section III.D, the relative size and scope of a given incident shall determine the ICS organizational structure employed during that incident. When an incident's size and scope changes, the organizational structure of the ICS must also change at a pace that ensures appropriate and effective deployment of personnel and resources.
- G. Reporting Procedure - Once Incident Command has been established, all personnel who are not actively securing an operational position (or performing an assigned task) shall physically report to the Incident Commander or to a designated staging area. Personnel whose operational deployment and/or immediate duties preclude a physical reporting, shall notify the Incident Commander of their position and status as soon as practicable. This notification shall be made via police radio on the frequency assigned to the incident unless operational necessity requires otherwise.
- H. Radio Procedure - In most instances, the Incident Commander or the ECC shall designate a radio frequency to be used exclusively for the incident. Thereafter, all personnel assigned to the incident shall monitor this frequency. Additional frequencies may be assigned to specific tasks (e.g., car-to-car communications among tactical teams, etc.). The radio designation "command" shall be used to identify the Incident Commander. If multiple incidents are involved, the geographic location of the incident shall precede the word "command" in order to distinguish one Incident Commander from another (e.g., "Wilson Blvd. Command," "Shirlington Command," etc.).

To ensure police compatibility with fire department communications, ACPD personnel shall use the below designations when referring to sides of a building. This requirement applies to all incidents, regardless of whether the fire department is involved (e.g., barricade incident with no fire department presence).



I. After-Action Report

- 1. The final Incident Commander (or highest-ranking ACPD official if incident command was performed by another agency) shall direct the preparation and submission of a departmental after-action report following every incident listed below:

- a. Barricade incidents.
- b. Hostage incidents.
- c. Large-scale protests, demonstrations, riots, and/or acts of civil disobedience, etc.
- d. Large-scale pre-planned events, such as festivals, rallies, and marathons, etc.
- e. Incidents or events involving a joint or coordinated response by ACPD and one or more other government agencies (police, fire, military, school, public works, etc.).


Except as specified above, after-action reports are not required for small-scale ICS incidents that involve ACPD personnel only. However, such reports may still be submitted at the discretion of the Incident Commander.

- 2. If an after-action report is submitted, that report shall be forwarded to the Chief of Police, and shall:
 - a. Describe the facts and circumstances of the incident.
 - b. Describe the department's response, including all significant assignments, actions, and command decisions (including a diagram or diagrams of the ICS organizational structure).
 - c. Describe the actions or assigned duties of other agencies involved in the incident (if known), and also describe the command interaction between ACPD officials and the officials of other agencies.
 - d. Critique or evaluate the effectiveness of the department's performance, including that of the ICS component.
- J. Training - Training shall be conducted by utilizing available Federal Emergency Management Agency (FEMA) and Virginia Department of Emergency Management NIMS courses to ensure compliance with federal guidelines governing the Incident Command System. All supervisory ranks should complete ICS 300 and 400 classes. Additional training can be implemented when appropriate, through the use of table top exercises and practical exercises.

The Training, Education and Exercise Division of the Virginia Department of Emergency Management (VDEM) pocket reference guide known as the [Incident Command Job Aid](#) is usually provided to personnel who complete NIMS ICS-300 training and contains a summary of key incident management principles and procedures. Incident Commanders are encouraged to adapt its content as needed to fit operational procedures.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: May 25, 2018	Amends/Supersedes: August 3, 2015	By Authority of the Chief of Police  Charles A. Penn
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570.03 Crisis Intervention Team (CIT)

I. Policy

The department shall exercise leadership in the community when responding to incidents involving persons with mental illness who are in crisis by promptly responding to and seeking to resolve calls where a person with mental illness is in need of services. When the person remains in crisis and exhibits signs that they are a danger to themselves or others, or that they are unable to care for themselves, officers shall take the person into emergency custody to have them evaluated by a mental health professional. In cases that do not warrant an emergency custody detention, officers shall endeavor to assist the person by referring them to mental health care providers for their continued well-being, beyond the immediate call for assistance. Additionally, it is the duty of officers responding to a mental illness call to provide for the safety of all persons.

II. Definitions

- A. Crisis Intervention Team (CIT) Officer – An officer who has received specialized training in recognizing symptoms of mental illness, identifying persons who are in crisis, and using communication skills to assist in de-escalating potentially dangerous situations.
- B. Crisis – A person is in crisis when they are unable to cope with internal or external stimuli, creating an inability to function at a reasonable level, thus creating a risk of harm to themselves or others.
- C. Mental Illness – A condition described in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM V) in which a person may experience random or disorganized thought patterns, or demonstrate bizarre or unusual behavior.
- D. Emergency Custody Order (ECO) – Refer to [VA Code §37.2-808](#) for adults and [§16.1-340](#) for juveniles.
- E. Temporary Detention Order (TDO) – Refer to [VA Code §37.2-809](#) for adults and [§16.1-340.1](#) for juveniles.
- F. CIT Program Supervisor – the Chief of Police shall designate a Captain in the Operations Division to oversee the CIT program.

III. Procedure

A. Responsibilities

1. Sworn Officer's Responsibilities

- a. Calls for service which pertain to subjects with a suspected mental illness will be dispatched based upon officer availability, however, a CIT Officer should be dispatched if requested and one is available. These calls for service include but are not limited to ECO service.
- b. A shift supervisor shall monitor dispatched calls involving suspected mental illness and ECO service.
- c. All officers who respond to calls involving a subject with a suspected mental illness and detain the subject shall complete a CIT Supplement and the Transfer of Custody form when appropriate.

2. CIT Program Supervisor's Responsibilities

- a. The CIT Program Supervisor shall review all case reports related to mentally ill subjects for possible follow-up.
- b. The CIT Program Supervisor shall have oversight on CIT training and ensure that Operations personnel are CIT certified, at a percentage determined by the Chief of Police.
- c. The CIT Program Supervisor shall coordinate with the Department of Human Services (DHS) and the DHS CIT Coordinator to identify program issues and collaborate on effective means to make improvements to the CIT Program and police response to calls involving the mentally ill.

B. Dispatched Calls Involving Persons with Mental Illness

1. Upon arrival at the scene, the responding officer shall take appropriate action to restore order and ensure the safety of all present while determining what has transpired. If weapons are present at the scene of any incident involving a person who is suspected to be mentally unstable, officers shall ensure that the mentally unstable person does not have access to them.
2. Once the scene has been stabilized, the officer shall evaluate the situation to determine if DHS Emergency Services are required. If an ECO has already been issued by a Magistrate, the ECO gives the officer the authority to immediately detain the subject. If there is no issued ECO, the officer must determine whether or not to initiate a paperless ECO and take the person into custody to have them evaluated by DHS. Paperless ECOs are authorized under the [VA Code §37.2-808\(G\)](#). The decision to initiate a paperless ECO is made based on circumstances that indicate the person is a danger to themselves or others, or they are unable to care for themselves. If the person is willing to be evaluated by DHS on a voluntary basis, an ECO may not be necessary. In cases where the criteria for an

ECO are not met, the officers may consider other options including having the person speak with a DHS representative or advising the person of available mental health services. However, officers shall **not** detain any person against their will who does not meet the ECO criteria unless there is some other legal authority to do so. Officers may contact the on-call DHS therapist to discuss the situation and help determine the best course of action.

3. In cases where the officer is able to assist the individual through the crisis without the involvement of a mental health professional, the individual will still be encouraged to seek additional professional assistance if appropriate.
4. If the investigating officer learns that the mentally ill subject has committed a crime, the officer may arrest the person under the appropriate criminal statute. In that case, the officer should advise the Magistrate of the subject's suspected mental illness. The Sheriff's Office has the ability to provide DHS services to the subject. In cases where the subject has committed a minor crime, officers are encouraged to divert the subject to mental health treatment, when possible and/or appropriate.
5. Before transporting a mentally ill subject for evaluation, it is recommended that the officer contact the on-call DHS therapist to discuss the case and to determine whether the person should be taken to the Virginia Hospital Center (VHC) Emergency Room, the Crisis Intervention Center, or some other location for their evaluation. If the location used for the evaluation is VHC, the officer has the option to transfer custody of the subject to VHC Security Officers while the subject awaits evaluation. Officers shall not transfer custody of juvenile subjects or subjects whose violent or disorderly behavior poses a threat to the public safety. In all cases where custody is transferred to VHC Security, the officer shall complete a Transfer of Custody Form.
6. The DHS therapist shall conduct an evaluation of the detained subject to determine if involuntary detention in a mental health facility is warranted. If deemed necessary by DHS, a DHS clinician shall seek a TDO from the Magistrate. If DHS determines that the subject does not meet the criteria for a TDO, the person shall be released. In some cases, the subject may agree to be voluntarily admitted to a mental health facility or may be admitted to the hospital for medical reasons. In most cases where a TDO is not issued, no additional officer involvement is necessary.
7. If a TDO is issued, an officer may be dispatched to pick up the TDO from the Magistrate's Office and fax it to the subject's location if the fax location is secure. Alternatively, the officer may deliver the TDO to the subject's location. After the TDO has been secured, one of the officers on the call shall take custody of the subject, deliver them to the mental treatment facility specified on the TDO, and execute the TDO. Transportation of the subject to the treatment facility shall be in accordance with departmental policy governing the transportation of prisoners (see Manual directive 536.05 *Arrestees*).

8. Officers who take custody of a subject based on an ECO or TDO shall determine on a case-by-case basis, if there is a need to take possession of any firearms found at the scene for safekeeping or evidence. The execution of an ECO or TDO upon a subject does not automatically make them ineligible to possess firearms in the future. [Code of VA §18.2-308.1:3](#) states it is unlawful for a subject who has been detained on a TDO and either – (1) been ordered to undergo mental treatment at the subsequent court hearing or, (2) subsequently agreed to voluntary admission for mental treatment, to purchase, possess, or transport a firearm. Officers may determine if a subject is currently prohibited from possessing a firearm by running a person check through VCIN/NCIC using the purpose code “F”.
9. If a TDO has been issued for a subject and the subject escapes from police custody before delivery to the specified mental treatment facility, [Code of VA §37.2-833](#) authorizes the officer who had custody of the subject to obtain a warrant for *Escape from Lawful Custody* from a Magistrate, and to specify where the subject should be taken when apprehended (i.e. to jail or to the mental treatment facility).
10. A CIT Supplement form shall be completed for every ECO, TDO, paperless ECO and attempted suicide. The form shall be included with the police incident report.


C. Escapee from Mental Treatment Facilities

1. Copies of all teletypes received concerning escapees from mental treatment facilities in the local area (Fairfax County, Falls Church and Alexandria) should be distributed to patrol officers for review.
2. If a call is dispatched concerning an escape from a mental health treatment facility, a supervisor shall be made aware of the situation. If the location of the escapee is known, at least two officers should be dispatched.
3. The responding officers shall first determine if a warrant is on file for the escaped subject. [Code of VA §37.2-834](#) states that when a person involuntarily committed to a mental treatment facility escapes, the director of the facility may obtain a warrant from a Magistrate, ordering the person be taken into custody and returned to the facility or to an appropriate state facility in the area.

If there is a warrant on file, the officer may arrest the subject and arrange for the subject's transportation to the appropriate facility. If there is no warrant on file for the subject, officers shall treat the situation as a normal dispatched call for a person with mental illness and follow the procedures listed above. If the subject is arrested, the officer shall advise the Magistrate and the Sheriff's Office deputies of the escapee status of the offender. If there is no basis for the subject to be involuntarily detained and the subject has not committed a criminal offense, the complainant should be advised to deal directly with the facility concerned in order to secure the subject's return.



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570.04 Peer Support Group

I. Policy

The goal of the Peer Support Team (PST) is to advocate employee wellbeing by providing assistance, support services, and appropriate support resources to both sworn and non-sworn members of the department by trained department personnel to employees who have experienced or have been exposed to traumatic incidents or other emotional crises. The team will maintain the confidentiality of all interactions with the exception of a duty to warn situation or when required by law and/or regulation. This high degree of confidentiality is essential to the success of this program and should be clearly understood by the team and all members of the department.

II. Definitions

- A. Peer Support Team - A group of volunteer employees, as well as professional staff from the [Arlington Employee Assistance Program \(EAP\)](#), who provide support services and resources to employees. The Peer Support Team consists of Peer Support Team members, Team Leader, and a representative of the Employee Assistance Program.
- B. Critical Incident - An event that causes an employee to experience a strong emotional reaction which has the potential to interfere with the individual's ability to function either at the scene or later.
- C. Peer Team Leader - Directs the Peer Support Team's operations and administrative functions; designated by and answers directly to the Deputy Chief of the Operations Division.
- D. Family Assistance - Render assistance to agency personnel families following both off duty and line of duty deaths or serious injuries.

III. Procedure

- A. Team Notification - The scene commander shall ensure that the Peer Support Team Coordinators, or designee, is notified of a critical incident as soon as is practicable.
- B. Criteria for Assistance - The Incident Commander or higher-ranking departmental official may request activation of the Team. The Team Coordinators, or designee, will determine whether or not to assemble the Team. When requested by the scene commander, the ECC Supervisor shall immediately inform the Team Coordinator, or designee, when any of the

following events has occurred. Typically, the types of events which might qualify for activation of the team include, but are not limited to the incidents listed below:


1. A mass casualty incident.
2. A particularly violent death or injury to any person.
3. Death or serious injury of a child.
4. Death or serious injury of a Police Department employee.
5. Death or serious injury of a member of a Police Department employee's family.
6. The death of another agency's officer during an Arlington Police - related incident.
7. Incidents in which the actions of a Police Department employee result in death or serious injury to a citizen.
8. Prolonged incidents where employees are placed under stress for an extended period, or where the incident's outcome is unfavorable (e.g., death of a hostage).

Supervisors have the authority to request Peer Support Team Activation for an incident not enumerated above, if in their opinion, an employee needs support resources. The Supervisor should contact the Peer Support Team Coordinators to request assistance. Additionally, any employee can contact the Peer Support Team with questions or to request services. Employees should be encouraged to seek out the Peer Support Team members any time they are experiencing any difficulty or need additional resources, not just as a result of a major incident.

- C. Confidentiality - The acceptance and success of the Peer Support Team program will be determined, in large part, by the observance of confidentiality. It is imperative that each Peer Support Team member maintain strict confidentiality of information learned about an individual within the guidelines of this program.
1. A general principle for Peer Support Team members should be to initially inform each individual of the limitations and exceptions regarding the information revealed in each contact.
 2. Communication between a Peer Support Team member and an individual is not protected from compelled disclosure by the courts, but it is considered confidential by the police department except for a violation of department policy, law, or a duty to warn.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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571.01 Mutual Aid Agreements & Concurrent Jurisdictions

I. Policy

The Arlington County Police Department fully supports mutual aid agreements. The terms and conditions of these agreements dictate how the department responds to a particular situation. Mutual aid agreements are either mandated or authorized by law and generally apply to emergencies or unusual situations rather than day-to-day operations.

In matters involving concurrent jurisdiction the Arlington Police will take appropriate action at any incident that occurs in an area of concurrent jurisdiction until the agency with primary jurisdiction arrives on the scene and assumes responsibility. The department will render assistance when requested by the primary agency as determined by the on duty Watch Commander or designee.

II. Definitions

- A. Concurrent Legislative Jurisdiction - Areas where Federal Government authority would otherwise amount to exclusive jurisdiction over an area, but the state concerned has reserved to itself the right to exercise concurrently with the Federal Government all of the same authority.
- B. Exclusive Legislative Jurisdiction - Areas over which the Federal Government has acquired all of the authority of the state and in which the state concerned has not reserved to itself the right to exercise any of the authority concurrently with the Federal Government. This does not apply to the right to serve civil or criminal process for those activities which take place outside the area.
- C. Jurisdiction - The geographical area within which law enforcement power may be exercised and outside of which it may not be exercised.
- D. Mutual Aid Agreements - Agreements between government agencies within the Commonwealth authorizing public safety personnel to be sent beyond territorial limits in response to emergencies relating to threats to life or public safety.
- E. Proprietarily Interest Only - Areas where the Federal Government has acquired some right or title to an area in a state, district, or possession (e.g., through lease or purchase), but has not obtained any measure of the state's legislative jurisdiction over the area.

III. Code Requirements

- A. [Code of Virginia §§ 15.2-1724 through 15.2-1730. Chapter 17. Police and Public Order](#)
- B. [Code of Virginia § 19.2-249. Offenses committed on boundary of two counties, two cities, or county and city, etc.; where prosecuted.](#)
- C. [Code of Virginia § 19.2-76. Execution and return of warrant, capias, or summons; arrest outside county of city where charge is to be tried.](#)
- D. [AR 1.5, Arlington County Comprehensive Emergency Management Plan](#)

IV. Procedure

- A. Mutual Aid Agreements - The Arlington County Police Department enters into mutual aid agreements with various federal, state, and local law enforcement agencies in order to provide police assistance across jurisdictional boundaries during certain emergencies or law enforcement situations.

Generally, when a law enforcement agency is party to a mutual aid agreement and determines a situation is beyond the capacity of their agency to manage they may call for assistance. Agencies provide the requested aid based on the availability of resources consistent with the circumstances for the mutual aid request.

The agency receiving assistance under a mutual aid agreement is responsible for directing the activities of officers coming into their jurisdiction. Each officer who enters the jurisdiction of an agency requesting assistance through a mutual aid agreement typically has the same police powers as the requesting agency's law enforcement personnel.

- B. Jurisdictional Boundaries

- 1. Virginia - Arlington police have jurisdiction 300 yards into the County of Fairfax, the City of Falls Church and the City of Alexandria, provided the officer is enforcing a violation of state law. When the officer is in "close pursuit" of a suspect, they may pursue the suspect anywhere in the Commonwealth and may arrest the suspect when found. If the arrest is not made in a contiguous jurisdiction, the officer must bring the arrestee to the magistrate in that jurisdiction and obtain a warrant for the offense committed in Arlington.

Whenever a person is arrested upon a warrant or capias in a city or town other than that which the charge is to be tried, the law-enforcement officer making the arrest shall either (i) bring the accused forthwith before a judicial officer in the locality where the arrest was made or where the charge is to be tried or (ii) commit the accused to the custody of an officer from the county or city where the charge is to be tried.

- 2. Washington D.C. – The Code of the District of Columbia, [Chapter 9. Fresh Pursuit.](#), allows law enforcement officers from Virginia who are in fresh pursuit of a person who is believed to have committed a felony in Virginia and flees to Washington, D.C. to continue the pursuit into the District to make an arrest. The arrestee must be taken before a judge in the District for a hearing to determine the lawfulness of the arrest.

Officers will not stop individuals for traffic violations or misdemeanor offenses within the boundaries of Washington, D.C. as there is no overlap of jurisdiction with the District of Columbia. This prohibition includes the Chain Bridge, Francis Scott Key Bridge, Theodore Roosevelt Bridge, Arlington Memorial Bridge, 14th Street Bridge, Arland D. Williams Jr. Memorial Bridge, and Lady Bird Johnson Park (aka: Columbia Island). Additionally, other than Roaches Run Waterfowl Sanctuary, which is located entirely in Arlington County, the Potomac River and the Boundary Channel are part of the District of Columbia.

3. Maryland – The Code of Maryland, [Uniform Act on Fresh Pursuit](#), allows law enforcement officers from Virginia who are in fresh pursuit of a person who is believed to have committed a felony in Virginia and flees to Maryland to continue the pursuit into Maryland to make an arrest. The arrestee must be taken before a judge in the county in which the arrest was made for a hearing to determine the lawfulness of the arrest.
- C. The Metropolitan Washington Airports Authority (MWAA) has primary policing responsibility at Reagan Washington National Airport. Although the Arlington Police have jurisdiction on airport property, the MWAA Police are responsible for conducting routine patrols. Arlington Police will provide technical assistance upon request.
- D. Concurrent Jurisdiction at Certain Federal Facilities
1. The Pentagon - Primary police services at the Pentagon are provided by Pentagon Force Protection Agency (PFPA), a civilian agency of the Department of Defense. However, under an interagency agreement executed between PFPA and Arlington County, the Arlington County Police Department is also granted police authority at the Pentagon, subject to the procedural limitations contained in the memorandum of understanding.
 2. Defense Information Systems Agency (DISA) - DISA is a U.S. Government facility that enjoys concurrent jurisdiction with the Federal Government and the Commonwealth of Virginia. Consequently, Arlington County police officers have full authority to enforce the laws of the Commonwealth and Arlington County on these premises. The Arlington County Police Department will respond to calls for service and provide appropriate police service but will not provide routine patrol inside this fenced and secured facility.
 3. Army National Guard Readiness Center (ANGRC) - ANGRC has a guard post on South George Mason Drive that is staffed 24 hours a day. Generally, Department of Defense personnel respond to alarm calls and incidents on this property, although ACPD shares concurrent jurisdiction.
 4. National Foreign Affairs Training Center (NFATC) – In accordance with the existing [Memorandum of Understanding, between the Department of State and the Arlington County Board](#); the General Services Administration, the Department of State (DOS), and Arlington County share recreational use of two parcels on the NFATC property:


- a. East Parcel – The main campus of NFATC located east of George Mason Drive including George Mason Drive tunnel. Police services for the East Parcel shall be exclusively the responsibility of the DOS whose 24-hour telephone number can be obtained from the Emergency Communication Center (ECC). If there is a major crime on the premises the Federal Protective Service will respond to the scene.
 - b. West Parcel – The portion of the NFATC site located west of George Mason Drive. The department shall patrol the West Parcel regularly and any violations of the law should be handled as they would on private property. On occasion the West Parcel will be exclusively limited to official use by the U.S. Government. During those times federal laws and regulations will apply and enforcement action will be the sole responsibility of the NFATC - this includes regulations and laws on the use of alcoholic beverages.
5. Other Department of Defense Buildings - In addition to the sites listed above, other Defense Department buildings may be controlled by the Pentagon Force Protection Agency (PFPA) and the Federal Protective Services (FPS). These buildings are either leased or owned by the Federal Government (proprietary interest only) which means that the Arlington Police have jurisdiction in them. In these cases, PFPA or FPS will handle routine calls for service or handle any violation of Federal Law, however the Arlington Police will be called in to handle any major crime.
 6. U.S. Military Facilities - Joint Base Myer-Henderson Hall and Arlington National Cemetery are exclusively federal jurisdiction. Arlington police have the authority to serve criminal warrants on such exclusive federal jurisdiction, but an officer with a Virginia arrest warrant should report to the Provost Marshall's office at Joint Base Myer-Henderson Hall or the PFPA office at the Pentagon if warrant service is desired.

In addition, if an officer is in "hot pursuit" of a subject who commits a crime outside the area of exclusive jurisdiction and flees into the federal area the officer may follow and apprehend the subject. If the subject is a civilian the military police may escort the subject off the reservation. If the subject is a member of the military, the officer will obtain necessary information and get a warrant. If the offense is such that a summons could be issued, this action should be taken.

- E. Listing of Concurrent Jurisdiction – The ECC maintains a comprehensive list of all areas of concurrent jurisdiction, including primary agency information and 24-hour emergency contact numbers. Facilities not enumerated in this directive may be periodically added to that list. Officers should contact ECC if questions of concurrent jurisdiction at Federal facilities arise that are not answered by this directive.



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Chapter: 5 Procedures	Effective Date: May 25, 2018	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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573.01 Aircraft Accidents

I. Policy

The primary responsibility for investigating an aircraft accident rests with the Virginia State Police and the National Transportation Safety Board. The police department will provide assistance as necessary or when requested.

II. Definitions

- A. Aircraft – A device that is used or intended to be used for flight in the air.
- B. Aircraft Accident - An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked and in which any person suffers death or serious injury, or in which the aircraft receives substantial damage.
- C. Federal Aviation Administration (FAA) – A division within the Department of Transportation responsible for the regulation and oversight of civil aviation in the U.S.
- D. National Transportation Safety Board (NTSB) – An independent federal agency that investigates all civil aviation accidents.

III. **Code Requirement** – The [Code of Virginia §5.1-23](#) provides that the State Police shall have jurisdiction to investigate any aircraft accident and that in the exercise of such jurisdiction, the State Police and officers of the department of law enforcement of any city or county may enter with immunity and without a warrant upon private property for the purpose of conducting such investigations.

IV. Procedure

- A. Initial Response
 - 1. Approach the crash site with caution and from an up-wind direction to avoid contact with any toxic smoke or fumes. Military aircraft may be carrying live ammunition, bombs, nuclear warheads or other explosive or radioactive materials.
 - 2. Be alert for wreckage or survivors that may have been ejected along the crash path and thrown clear of the aircraft and explosive hazards that could be triggered by fuel, oxygen, tires, batteries, de-icing, and anti-icing equipment.


3. Determine the extent of the accident scene and the need for additional police assistance, medics, and firefighting equipment.
 4. Take necessary steps to protect life and property.
 5. Secure the scene to prevent unauthorized entry.
- B. FAA Notification - As soon as possible, responding officers should collect the following information and relay it to the ECC for FAA notification:
1. Time of crash.
 2. Brief description of the severity of the crash, including the number of injured or deceased.
 3. Best possible geographic location.
 4. Type of aircraft, hull number, manufacturer's name, single engine, multi-engine, jet, helicopter, military, civil or air carrier.
 5. Nearest suitable landing area for a helicopter.
- C. Scene Management
1. Officers should ensure that the accident scene is safe and secure for additional emergency personnel.
 2. Arrange care for injured persons.
 3. Establish an inner and outer perimeter and secure the area. If the accident involves military aircraft, secure the area and wait for military investigators.
 4. Do not disturb the bodies of deceased victims, but leave the scene as is and notify the medical examiner.
 5. Except for the protection or preservation of life, officers shall not cause or allow the aircraft or its contents to be moved unless authorized by federal investigators. Do not move wreckage without FAA approval with the following exceptions:
 - a. Removal of injured or trapped persons.
 - b. Protection of wreckage from further damage.
 - c. Protection of public from injury.
 6. If necessary, nearby roads should be closed and access routes secured to allow ingress and egress of additional responders.
- D. Notification Procedure - The dispatcher shall initiate the following actions:
1. Notify and direct the Watch Commander and necessary units to the scene.
 2. Contact the fire department to assist in rescue work or to stand by for firefighting operations.
 3. Contact the National Transportation Safety Board (NTSB), Aviation Accident Division and provide the same information relayed to the FAA.
 4. Contact the Virginia State Police.
 5. Notify military authorities, if applicable.

6. Notify the U.S. Postal Service Inspection Office if it is known that U.S. Mail was on board.
 7. Notify the medical examiner in the event of fatalities.
 8. Alert County officials, department and agency heads identified in the Emergency Call Procedures.
- E. Establish Incident Command - The Watch Commander or ranking supervisor on the scene shall establish incident command and manage the incident in accordance with Manual directive *570.01 Incident Command System*. The Incident Commander shall be responsible for the following:
1. Provide the fire department with resources to assist in the rescue and care of the injured.
 2. Establish controlled routes into and out of the accident area for emergency equipment and authorized personnel.
 3. Establish and maintaining an inner and outer perimeter.
 4. Evacuate the area if necessary.
 5. Secure the area and preserve the accident scene for investigation by NTSB and FAA. No one is to be allowed in the wreckage area other than those necessary for occupant removal, firefighting and the possible removal of mail and cargo when necessary to protect it from further damage.
 6. Protect baggage, freight, mail and personal valuables
 7. Provide traffic and crowd control at the incident scene
 8. Arrange staging areas for the following:
 - a. Mutual aid response vehicles and equipment.
 - b. Relatives/friends assembly area.
 - c. Non-injured care area.
 - d. Morgue.
 - e. News media.
- F. Investigative Procedures
1. Federal - The National Transportation Safety Board is responsible for the investigation of aircraft accidents. Certain field investigations, however, are conducted by the Federal Aviation Administration (FAA). A team of investigators will be dispatched to the accident. Upon their arrival, they will assume local field control and establish functions of security, identification communication and investigation. The federal investigator in-charge is responsible for the supervision and co-ordination of all resources and activities of all personnel involved in the onsite investigation.
 2. State - The Virginia State Police must also investigate all aircraft accidents. The investigation would be in conjunction with the federal investigation rather than a separate one.

3. Local - The Scene Commander will respond to the request of the investigating team, federal or state, and continue security and rescue operations as required.



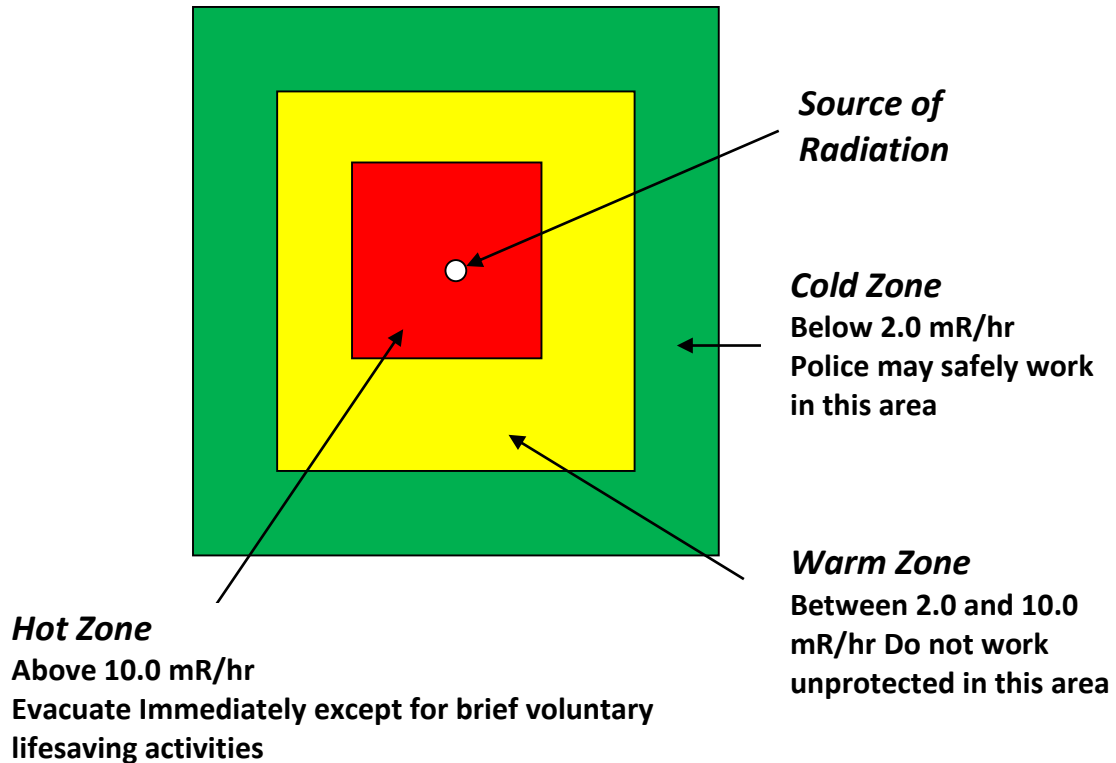
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Chapter: 5 Procedures	Effective Date: July 13, 2018	Amends/Supersedes: March 15, 2012 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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573.02 Hazardous Material Incidents

- I. Policy** - The primary responsibility for managing hazardous material incidents rests with the fire department. The police department response will usually be limited to traffic direction, crowd and scene control, and other such assistance as may be requested by the fire department or by federal/state hazardous materials officials. Employees of the police department should take every precaution for personal safety when discovering or responding to a hazardous materials incident, to include utilizing personal protective equipment when applicable.
- II. Definitions**
- A. Hazardous Material (HAZMAT) Incident – The release or potential release of hazardous materials (chemical, biological, radiological, and/or nuclear) into the environment as a result of a terrorist act, criminal act, accident, or natural disaster.
 - B. Personal Radiation Detector (PRD) – A small detection instrument worn by an individual that measures their exposure to ionizing radiation and is often the first indication that radiological/nuclear material is present.
 - C. Radioisotope Identification Device (RIID) – A detector used to identify the specific radionuclide(s) present on a person or object. Isotope identification devices are generally capable of transferring radionuclide information to offsite technical experts.
- III. Procedure**
- A. Initial Response to HAZMAT Incidents
 - 1. Duty to Report - Any employee of the police department who becomes aware of a chemical, biological, radiological, and/or nuclear release, or the threat or imminent risk of such release, shall immediately notify a police supervisor as soon as practical.
 - 2. Watch Commander's Responsibilities – A Watch Commander who is notified of a HAZMAT incident or threat should ensure that unified command is established with the fire department, that an appropriate perimeter be established once the source has been identified (conferring with HAZMAT officials and the **Emergency Response Guide Book**), and ensure that appropriate notifications are made within the police department, Department of Human Services (if deemed necessary), and OEM watch desk.

3. Responding Officers' Responsibilities - When approaching a scene that may involve hazardous materials, an officer's first concern must be the safety of himself and other first responders. Responding officers may need to perform the following duties:
 - a. Evaluate and report significant environmental changes, and mass casualty information.
 - b. Secure an initial perimeter at the direction of unified command.
 - c. Be prepared to assist in crowd control and any evacuations.
- B. Radiological/Nuclear Incidents - Both the police and fire departments possess radiological/nuclear detection equipment. Officers trained to use PRDs, RIIDs, and other human portable detection equipment (backpacks) should assist on radiological/nuclear incidents. Officers shall adhere to the following response posture upon confirmation of radiological/nuclear sources:
 1. The Cold Zone - The cold zone is the area where radiation has not yet risen to dangerous levels. It is comprised of all areas whose readings on RND equipment are less than 2.0 mR/hr. Officers can work in the cold zone without protective clothing or equipment.
 2. The Warm Zone - The warm zone is the area where RND equipment detects readings between 2.0 mR/hr and 10.0 mR/hr. This area may not be immediately harmful, but it is an unsuitable environment for unprotected workers. Consequently, unless explicitly ordered by the Incident Commander, police personnel shall not knowingly enter, work in, or remain in a warm zone.
 - a. Police personnel who obtain readings above 2.0 mR/hr on their RND equipment should immediately stop and proceed no further. The location where the 2.0 mR/hr reading was achieved shall be conspicuously marked with a cone, tape, or other marker, with the location provided to the command post.
 - b. Officers who have been in a warm zone shall report that fact to the command post in order to document their exposure, and decontamination and/or medical examination can be initiated, as appropriate.
 3. The Hot Zone - The hot zone includes all areas where RND equipment detects radiological/nuclear presence exceeding 10 mR/hr. Officers should not enter the hot zone except for brief voluntary lifesaving activities. Officers who have been in a hot zone should report that fact to the command post in order to document their exposure, and decontamination and/or medical examination can be initiated, as appropriate.




- C. Routine Screening at Public Events – Officers who participate in the Radiological/Nuclear Detection Program may be called upon to radiologically screen persons and vehicles at certain public events. This posture is defined as “*Enhanced Steady State Operations*” and will most likely come at the request of the Special Operations Section.
- D. Conclusion of the Incident - Decisions regarding when and how to terminate a HAZMAT scene rest with the fire department and/or other technically qualified personnel. The police department’s role is to assist with the termination according to instructions provided by the overall Incident Commander. Among the matters to be considered during termination are the possible decontamination of police personnel and equipment, and the documentation and/or recovery of evidence or property. Suspected hazardous materials or contaminated property/evidence shall not be brought into the police station.
- E. Reporting and Investigation
 - 1. Reports – A police supervisor should ensure that all HAZMAT incidents are documented in an accident and/or field report; to include any exposure by police officers in the warm or hot zones. An after-action report may also be completed, including the number of hours devoted to the incident by police personnel. These figures may be used when calculating any potential reimbursement.

2. Investigation of Terrorism Cases - The FBI is responsible for the investigation of terrorist incidents and the actual or threatened use of Weapons of Mass Destruction [WMD]. These include nuclear, biological, and chemical weapons. This investigation will be assigned to the police department's Homeland Security Section.
3. Investigation of Non-Terrorism Cases - Except for those cases assumed by the FBI (see paragraph above), it shall be the responsibility of the Homicide/Robbery Unit to investigate all hazardous material incidents that have resulted in a death or serious injury to any person. The investigation shall be coordinated with the Fire Marshal's Office, whose expertise on hazardous materials products shall be utilized.
4. Suspicious Packages/Substances Response - A suspicious substance call may take one of several forms. It could be a white powder found in a mail envelope or the threat that anthrax spores were contained in a letter. It could be a hoax; a co-worker leaving powdered sugar on the desk of another. Police department employees must work closely with members of the fire department, whose responders have the training and equipment to perform preliminary tests on unknown material, when responding to these incidents.
5. Evidence Collection – In those instances where hazardous material is present, the collection and storage of such items will be determined on a case by case basis, upon conferring with the ACFD and/or other HAZMAT officials. The ACPD does not have the means to safely collect and store evidence/property that is considered to be radioactive.



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573.03 Medical Quarantines and Seizures

I. Policy

In the event of an intentional or unintentional deployment of biological, chemical, or radiological weapons and agents or a naturally occurring disease epidemic, the department shall cooperate with federal, state, and local authorities regarding the imposition of medical quarantines and where authorized by the Governor of Virginia shall assist in the enforcement of government seizures and/or requisitions of such goods and services during the course of an emergency. This directive is intended to guide the actions of Arlington County Police Department personnel only and does not direct or otherwise obligate personnel from any other state or local agency.

II. Procedure

A. Persons Authorized to Order Quarantines and Seizures

1. Governor of Virginia

- a. The Governor's authority in declared emergencies derives from "*The Commonwealth of Virginia Emergency Services and Disaster Law of 2000*" ([Virginia Code et seq. 44-146.13 to 44.146.28](#)), and from the Governor's traditional authority as commander-in-chief of the Virginia militia.
- b. The Attorney General of Virginia in opinion [#02-069](#) stated that, "the Governor of Virginia has the authority to declare an emergency and waive state law when, in the Governor's opinion, the safety and welfare of the people of Virginia require the exercise of emergency measures." Among the powers authorized to the Governor during a declared medical emergency are powers to:
 - 1) Compel medically trained persons in both the private and public sectors to perform medical services at the direction of the State; potentially to include retired health professionals and others with medical training who, at the time of the emergency, may or may not be actively employed in the health field.
 - 2) Allocate or direct the deployment of medical personnel, supplies, and facilities.
 - 3) Order evacuations from stricken geographic areas, as well as restrict the movement of any or all persons into, out of, and within such areas control and regulate the manufacture, distribution, sale, and/or use of essential medical and non-medical goods and services.

2. State Health Commissioner and Local Health Officials

- a. According to the aforementioned Attorney General's opinion, the State Health Commissioner has the authority "to require quarantine, vaccination, or treatment of any individual when he determines any such measure to be necessary to control the spread of any disease of public health importance."
- b. The State Health Board (or the State Health Commissioner acting on behalf of the Board when it is not in session) also has the authority to suspend medical licensing requirements for medical practitioners. This power enables certain individuals to legally perform medical services without a license if so directed by authorized health officials.
- c. During periods of a declared medical emergency, the State Health Commissioner and/or State Health Board may delegate the aforementioned powers to the Arlington County Public Health Director, who shall then direct local implementation of quarantines and other appropriate measures.

B. Command Responsibilities

1. Watch Commander

- a. In the event of a declared medical emergency, the Watch Commander shall have initial responsibility for the immediate deployment of officers in response to a request from the Arlington County Public Health Director and/or authorized State officials. Where appropriate, the Watch Commander shall cause the department's Incident Command System to be activated in accordance with Manual directive *570.01 Incident Command System*.
- b. The precise actions to be performed by ACPD officers will depend upon the nature of the emergency. However, in all cases the police department response shall be limited to an implementation of the expanded powers granted to health officials and the Governor by state law. In this regard, the Watch Commander shall seek explicit instructions from the requesting official and shall clarify any limitations that may be applicable.
- c. The Watch Commander shall bear in mind that the police department's quarantine and emergency seizure authority emanates directly from the Governor and/or public health officials. For purposes of this directive, the word "quarantine" shall also include the medical/legal concept of "isolation." Accordingly, police officials shall take no actions beyond those conveyed by their normal statutory authority, except as directed by the Governor and/or public health officials.

2. Chief of Police

- a. Given that medical emergencies may be prolonged in nature, the Chief of Police or his designee shall confer with the Arlington County Public Health Director or requesting State official at the earliest practical

opportunity. This conference may occur in a one-on-one context, or may be part of a larger emergency management meeting attended by several agencies.


- 1) During this conference, the Chief or his designee shall confirm the extent of the police department's current role, and shall also discuss contingency plans, as appropriate.
- 2) Following the conference, the Chief of Police shall cause a Special Order to be published in which the police department's specific tasks, powers, and limitations during the ongoing emergency are clarified for departmental personnel.

C. Reporting Requirements

1. Watch Commanders and supervisors engaged in any operational activity associated with a medical emergency shall document their actions in police case reports and supplement reports, after-action reports, or other appropriate memoranda, to the best extent possible given the emergency conditions. These reports are crucial in that they may be needed by health officials to assess disease exposure and/or evaluate the effectiveness of the governmental response and shall include:
 - a. Identify the public health official, state official, or ACPD commander who requested or ordered the specific deployment in question.
 - b. Description all tasks performed by police department personnel.
 - c. Identity of the geographic location(s) where these tasks were performed.
 - d. Identities of personnel present at these locations.
 - e. Description of any unusual conditions or events observed by department personnel.
 - f. Detailed descriptions of any civilian property and/or services seized or appropriated by or with the assistance of ACPD personnel.
 - g. Records other information requested by public health officials, if such requests have been made
2. The seized property/services accounting is important, given that State and Constitutional law may require the payment of financial compensation to property owners and service providers at the conclusion of the emergency.



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574.01 Special Events

I. Policy

Special events (parades, demonstrations) require strategic planning in order to ensure there is an appropriate level of safety and security for participants, area residents, businesses, and visitors during special events, while minimizing the impact on traffic and the general public.

II. Procedure - The responsibility for handling special events will normally be assigned to the Special Operations Section (SOS). This will not preclude other personnel from participating in the management of the event.

A. Application - The organizers of a planned event must complete a special event application and submit it to the County's Office of Special Events. The application is then reviewed by the Special Events Committee, a team of interdepartmental staff who manage various County lines of business, including the Police Department. The application will assist in determining:

1. The nature of the event.
2. The date, time and expected duration of the event.
3. The location, including any specific routes involved.
4. The number of participants.
5. Anticipated problems.
6. Special permits required, if any.

B. Coordination - The Special Event Coordinator, or his designee, will determine the type of police assistance required to handle a special event and will be responsible for the planning, staffing, and equipment needs of the event. This includes notifying the Community Resources Section commander, who may be requested to handle and staff the event if the police assistance required is minimal.


A master calendar of upcoming special events is maintained by the County's Office of Special Events. The department's Special Events Coordinator is responsible for tracking events which require police assistance, a list of which shall be kept on file in the Special Operations Section.

C. Logistical Considerations - The following should be considered when planning for a special event:

1. Need to block off traffic, streets, sidewalks to ensure the safety of the participants.
 2. Number of personnel needed to handle the event.
 3. Need for specialized personnel such as auxiliary police, Virginia State Police, K-9's, ERU tactical or negotiating teams.
 4. Need for specialized equipment (i.e. traffic cones, signs, message boards, command bus).
 5. Notifications of other affected agencies and personnel, including the Arlington Fire Department, Arlington Traffic Engineering, Virginia Department of Transportation, Virginia State Police, Washington Metropolitan Area Transit Authority, public information officer, Commonwealth's Attorney's Office, other police agencies, and those residences and businesses in the affected area.
 6. Need for a special radio channel and the coordination of its use with the Emergency Communications Center.
 7. Need to gather intelligence from various sources on groups planning activities which may involve violence.
- D. Liaison - The Special Event Coordinator will meet with event organizers and all County agencies affected prior to the event to confirm all permits, licenses, and authorities have been obtained or approved. Other responsibilities include, but are not limited to, creating the event's safety and security plan, protecting the rights and privileges of those involved, safeguarding County property, and ensuring organizers comply with State and County laws, rules, and regulations.



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574.02 Recording Devices

I. Policy

Employees may record conversations or images when such recording is appropriate to the proper performance of their duties, where the recording is consistent with department policy, and the recording is not made outside the limits of state, federal or constitutional law.

II. Procedure

- A. Approved recording devices may be used by employees to accurately document the circumstances or statements made during the performance of police duties.
- B. The use of recording devices is governed by the provisions of [Va. Code §19.2-63.1](#) which requires the approval and knowledge of the Chief of Police or designee, prior to use.
- C. The retention of any recording or image made by employees, in their official capacity, is governed by the provisions of the [Virginia Freedom of Information Act](#), the [Virginia Public Records Act](#), and rules of evidentiary disclosure in criminal and civil court proceedings.
 1. As such, the status of the employee (not the ownership of the device making the recording) governs the ownership of such recordings. Any recording made or electronic data captured by an employee conducting official law enforcement business, shall be the property of the department.
 2. No department recording(s) shall be given, sent, transferred, or transmitted to any other person or entity unless approved by the Chief of Police or his designee.
 3. Recordings of a non-evidentiary nature must be maintained in an unedited format for 30 days in accordance with the [Library of Virginia Records Retention and Disposition Schedule](#). Non-evidentiary recordings can be erased, without filing the *Certificate of Records Disposal* form (RM-3).
 4. Any recording that would be considered evidence shall be maintained in an unedited format, in accordance with department policy.

D. Restrictions on the Use of Recording Devices

1. Surreptitious recording is defined as a covert, clandestine, or secret audio, video, or photographic recording of another person without the knowledge and consent of the person being recorded.
2. Without the permission of their section commander, employees not engaged in a department investigation, may not surreptitiously record audio, video or images of any other department employee, or any county employee or official.

E. Use of Recording Devices

1. Whenever possible, employees shall record an entire conversation or contact, unless the contact moves into a restricted conversation.
2. If an employee fails to record an entire conversation or contact, the employee will note the failure, with an explanation, in a case report or case supplement. This will not apply if the contact is a non-reportable incident.
3. Anytime a recording device is used, the employee must document the fact that a recording(s) exists in their case report, as soon as a report is generated for that event.


F. Video Recording of Police Activity

Citizens have a [First Amendment](#) right to record and photograph officers in the public discharge of their duties. Citizens may record police activities unless their actions jeopardize the officer or public safety, violate the law, or incite others to violate the law. When encountering a citizen using a recording device, officers shall not:

1. Threaten, intimidate, or discourage citizens from recording police activities or intentionally block or obstruct recording devices.
2. Search or seize a recording device without obtaining consent or a warrant.
3. Delete or destroy recordings or photographs.



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574.03 Capturing Digital Images

I. Policy – This directive applies to the use of electronic recording devices and establishes procedures for uploading and archiving original image files. It does not apply to the duties performed by the Digital Forensic Unit.

II. Definitions

- A. Axon Capture App – An app that allows users to capture audio, video and photos and automatically uploads the information to the department's Evidence.com account.
- B. Electronic Recording Devices - Any device used by individuals, that has a recording function that can capture digital photos or video images.
- C. Lossless Compression - Any compression technique wherein no loss in image data will occur when the image is compressed. The image can be retrieved in its original form.
- D. Significant Injuries - As it pertains to accident investigations, any type of injury that involves medic transport. Also, any type of injury that involves the head where there is a loss of consciousness observed or reported.

III. Procedure

A. Digital Photo Images

1. File Format

- a. Most Crime Scene Images saved by the camera will be captured in JPEG (Fine or Large) file format.
- b. Comparison photographs (latent prints, shoe/tire prints, etc.) will be taken in camera RAW format or in a similar type of lossless compression.

2. General Camera Procedure

- a. The first photo taken will be a Photo Identifier containing: *Date/Time, Location, Report Number, Photographer's Name and DID*. This is not necessary if using the Axon Capture App.
- b. No image files shall be deleted from the digital storage media.

- c. Manipulation of the captured image file is prohibited. No details should be added or deleted from the original file.
- d. Images from the digital storage media can be printed out to further an ongoing investigation (examples: Medical Examiner cases, identifying unknown subjects and documentation for County accident reports).

B. Guidelines for Corporals/Agents Regarding Crime Scene Photos

1. Corporals (Agents) are generally not required to photograph minor cases involving misdemeanor offenses or non-criminal incidents. Photos should be taken in these instances only at the request of the investigating officer. This does not preclude the Corporals (Agents) from using their own discretion in specific instances.
2. The taking of photographs will be mandatory in the following instances:
 - a. All death scenes .
 - b. All felony crime scenes where significant documentable evidence exists.
 - c. All crime scenes where physical evidence is recovered and where photographic documentation would enhance the investigation and eventual successful prosecution of the case.
 - d. All accidents involving police department vehicles or criminal destruction of police property.
 - e. Accident investigations under the following circumstances:
 - 1) There are significant injuries involving pedestrians.
 - 2) There are significant injuries to one or more of the vehicle occupants.
 - 3) One or more of the drivers involved are being cited for a traffic infraction and the Corporal (Agent) determines that photographs will enhance the investigation and the eventual successful prosecution.
 - 4) Anytime photographs are specifically requested by the investigating officer and the Corporal (Agent) determines that it will significantly enhance the investigation.
 - 5) Administrative reviews or investigations when requested by a supervisor.
3. In the course of photographing evidence in the close-up range, the Corporal (Agent) will always include a labeled scale to facilitate one-to-one reproduction. This is especially important when photographing fingerprints or shoe impressions, as the actual size of the reproduction is necessary for comparison purposes.

C. Procedure for Digital Cameras with Video Capture Capability

1. For cameras that have video capture, the following procedure is to be followed:
 - a. Video files are to be uploaded to Evidence.com via the Axon Capture App.
 - b. Video files captured by the Axon Capture App must be properly labeled prior to automatic upload to Evidence.com.
- D. General Upload Procedures for all Photos
 1. Digital storage media cards are to be uploaded to Evidence.com via the Axon Capture App.
 2. Format (wipe clean) digital storage media cards using either the camera or a computer after they have been uploaded.
- E. Procedures for Crime Scene Photos
 1. A photo log must be filled out for each incident or the photos must be uploaded, and close-up photos captioned in Evidence.com.
 2. Digital storage cards should be uploaded before the end of each shift. Do not hold onto cards, especially when you have images related to an active felony investigation or Medical Examiner's case.
 3. Photographs captured with a department issued mobile device must be properly labeled with the case number, category and title fields and uploaded using the Axon Capture App.
- F. Axon Capture App
 1. The Axon Capture App may be used in lieu of a dedicated digital camera to photograph graffiti, shoplifting, misdemeanor destruction of property, Field Investigation Reports, and misdemeanor or non-evidentiary firearm cases.
 2. The Axon Capture App shall only be used on department issued mobile devices.
 3. Photos are to be uploaded and labeled with the case number, category and the title fields. A photo log is not required.
 4. Corporals (Agents) must use their issued digital camera to document crime scenes with the exception of those incidents listed in section B.1.
 5. Officers can use the Axon Capture App to document evidence and/or crime scene conditions immediately after an incident when the following conditions are present:
 - a. The evidence and/or scene conditions will be significantly altered unless immediately captured.
 - b. A Corporal/Agent is not on scene.

- c. There is no other method available to document the scene using a higher quality camera.

G. Upload Procedures Regarding Field Investigation Report (FI) Photos


1. FI digital images will be captured on a digital storage media card or with the Axon Capture App on a department issued mobile device.
2. A photograph of the ID of the subject of the FI or a picture of a piece of paper with the name and DOB of each subject should be included.

H. Uploading Images from Personal Mobile Electronic Devices

1. As a general rule, only department issued recording devices should be used for documentation purposes during the course of official law enforcement duties. However, it is recognized that there will be instances where the capture of information using other electronic recording devices may be appropriate. In those instances, the following protocol will be adhered to:
 - a. Notification will be made to either the officer's immediate supervisor, the lead Corporal/Agent/MPO or the Incident Commander, that digital images have been captured on a personal mobile electronic device and documented in a case report or supplement.
 - b. When personal mobile electronic devices are utilized, the officer will upload the media to Evidence.com via the Axon Capture App. If unable to upload the media, they will make arrangements to have the media removed from their device by contacting a member of the Crime Scene Unit.
 - c. Once the image files are uploaded to Evidence.com, they shall be immediately deleted from the device.
2. Officers should be cognizant of and adhere to all recording requirements found in Manual section *574.02 Recording Devices*.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: August 21, 2005	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s):			

513.01 Training

- I. **Policy** - The primary objective of Department training is to develop a broad base of knowledge and expertise so that employees will be better qualified to perform their assigned duties and ensure that all employees receive training which complements personnel and operational needs, legal requirements, and agency policies. The Department is responsible for confirming that all training and related activities are addressed and that there is accountability for those efforts. All training will be conducted within the framework of Police Department goals and with the cooperation of Department personnel. The Individual Development Plan (IDP) should be used as a basic guideline to establish training goals for each employee.
- II. **Procedure** - Supervisors are trainers and should be active participants in the training process. It shall be the responsibility of each supervisor to be familiar with their subordinates' training history and to assist them in selecting those courses which best develops their careers. It is especially important that supervisors assist new employees with course selection so there is little repetition of the basic training program conducted at the Northern Virginia Criminal Justice Academy (NVCJA).
 - A. General Guidelines
 1. Police Officer I - Retraining programs for Motor Vehicle Operations, Officer Survival and Law Enforcement In-Service are encouraged for all officers within five years after Recruit School. All Police Officer I's should be encouraged to take the Breathalyzer Pre-test and attend the Breathalyzer Operator's Course.
 2. Corporal (Agent/Crime Scene Technician and Detective) - After promotion to Agent, all Agents will attend both In-house Agent training and an evidence collection course at the NVCJA or other training agencies. Additionally, the In-house Agent Training Program will be made available upon request to investigative personnel. Agents and Detectives should be assigned to attend investigative courses inside and outside the Department.
 3. Sergeant - Sergeants shall attend Equal Employment Opportunity (EEO)/Affirmative Action for Supervisors/Managers, and a First Line Supervisor's School which includes training on the completion of the County's Performance Appraisals as soon as possible after promotion. Sergeants should be assigned to attend Crisis Management for Supervisors (or equivalent) and Drivers Training for Supervisors within three years after promotion. Sergeants should participate in Arlington Management Institute (AMI) classes and this participation should be reflected in their IDP.

4. Lieutenant - Lieutenants shall attend a Mid-Management Seminar (or equivalent) as soon as possible after promotion. Lieutenants should attend Drivers Training for Supervisors if they did not attend this course as a Sergeant and should continue participation in County AMI courses. The IDP should document such participation.
5. Captain - Captains shall attend an Executive Command Seminar (or equivalent) and a Budget Preparation Course as soon as possible after promotion. Captains should attend Drivers Training for Supervisors if they did not attend this course as a Sergeant or Lieutenant and should continue participation in County AMI courses. The IDP should document such participation.

B. NVCJA Mandatory In-Service Retraining (MIR)

The Training and Career Development Unit, on an annual basis, will receive a schedule of available training from the NVCJA. The Training and Career Development Unit will distribute copies of the NVCJA In-Service Training Schedule to all District and Section Commanders and all Section training representatives.

As new courses are added by NVCJA, the Training and Career Development Unit will notify District and Section Commanders as soon as possible.

The Training and Career Development Unit will provide District and Section Commanders with a list of upcoming MIR anniversary dates for employees under their command who must be assigned to MIR schools.

Section or District Commanders are responsible for the following:

- Informing employees under their command of their current MIR anniversary date.
- Ensuring that employees under their command submit at least three preferred dates for schools offered by the Academy, preferably six months prior to their MIR anniversary date.
- Ensuring that preferred schools are offered prior to the employee's MIR anniversary date • Ensuring that the employee is an eligible participant as determined by the course description
- Compiling a list of preferred schools for each employee and submitting the list to the Training and Career Development Unit so employees can be scheduled to attend the schools
- Making every effort to ensure an equitable distribution of courses for employees under their command

Once all requests for training are compiled and reviewed, Section or District Commanders will forward the requests along with the employee's original request to the Training and Career Development Unit. When appropriate, District and Section Commanders will include their justification for either recommending or denying an employee's request for training.

The Training and Career Development Unit will formulate the Department's Academy MIR attendance for the upcoming year. The Training and Career Development Unit will notify in writing each employee and the employee's District and Section Commander of their assignment to attend an MIR course.

The Training and Career Development Unit will be responsible for any re-scheduling of MIR dates which may be necessary.

In order to assist Section or District Commanders and other employees in making decisions on course scheduling, the Training and Career Development Unit will maintain current information consisting of:

- Individual employee's training records.
- Records of employees in need of MIR.
- Records showing the number and type of schools each employee attended in previous years.

Employee's Responsibilities will be to:

- Attend all scheduled MIR classes.
- Not request leave during an assigned MIR (except for emergencies).
- Not set court dates during their scheduled MIR.
- Notify the Human Resources Management Section Commander as soon as possible once the employee realizes that they will miss part of a scheduled MIR so the rescheduling process can be completed. The Human Resources Management Section Commander will notify the employee's District and Section Commander of the employee's absence.

C. Other Types of Training

1. District and Section Commander's Responsibilities for Other than MIR:

- Ensuring that newly promoted employees are recommended to attend required training and other preparatory training.
- Ensuring that employees in need of corrective training are recommended for such training as soon as possible after identification of the need for training.
- Ensuring that employees attend Virginia Criminal Information Network (VCIN) biennial operator recertification classes during the year in which their certification expires.

2. In-Service Type

Specialized Training Courses or Seminars not conducted through the NVCJA which come to the attention of District and Section Commanders independent of the Training and Career Development Unit should be handled in accordance with the following guidelines:

- The employee should submit a MIR card through the Chain of Command to their Division Commander, forwarding the brochure announcement of the school with the card.
- The employee's Section or District and Division Commander will review the request and initial their approval on the MIR card.
- If approved, the Division Commander shall notify the Systems Management Division Commander who will notify the Training and Career Development Unit.
- If not approved, the Division Commander will return the request together with reason for denial to the Section or District Commander.
- Should the training course require payment of tuition, travel, per diem, etc., the Systems Management Division Commander and the Budget Analyst will review the request prior to final approval, to ensure conformity with the affected Division's training budget request for the fiscal year.
- If the Systems Management Division Commander finds that the requested training is not in the affected Division Commander's training budget, the Systems Management Division Commander should inform the Division Commander so that adjustments may be made.
- If the request is approved, the Systems Management Division Commander will return the approved form to the affected Division Commander for notification of the officer, with a copy sent to the Training and Career Development Unit.
- The employee requesting an outside school will be notified via their Division Commander if the request has been approved. The employee will prepare the necessary vouchers. Training Supervisors should be consulted if assistance is needed in completing the voucher. All vouchers must be forwarded to the Systems Management Division Commander for his review and signature.
- Attendees at special training courses must be willing to impart this knowledge to other personnel and may be required to conduct roll call training upon request from the Section or District Commander.
- Prior to attending the approved outside training, the employee shall obtain from the Training and Career Development Unit a Partial In-Service Credit (PIC) form in order to receive partial credit for MIR. Within 14 calendar days after returning from training, attendees must provide the Training and Career Development Unit with the daily class roster and course curriculum and completed PIC Form.

3. In-House Training

The Training and Career Development Unit will implement in-house training programs based upon input from Department resources.

Every effort will be made to certify these training programs for MIR.

In-house training schools will be conducted along the same guidelines as provided in the Instructor Development Course conducted by NVCJA.

The Training and Career Development Unit shall be responsible for updating training records for employees attending in-house training. Therefore, this information need not be listed in the Monthly Training Report.

The Training and Career Development Unit shall maintain all In-house lesson plans according to the State Retention of Records Guidelines.

4. Recruit Field Training

The only persons authorized to provide continuing field training for recruit officers are Field Training Officers and any other officer trained to provide such training. Coordination of recruit field training will be done by the Training and Career Development Unit Supervisor and supervisors from the Operations Division.

As part of Field Training, the Training and Career Development Unit will conduct a local training program to include selected Department of Criminal Justice Services (DCJS) requirements.

5. Roll Call Training

Topics selected for roll call training shall be determined by the Training Committee or the Deputy Chief of the Division conducting the training. However, the agency's annual training program shall include at a minimum:

- training on legal updates
- training for each revision to the Directives Manual

Except for training on revisions to the Department Manual, all roll call training shall be listed on the Monthly Training Report. This report shall specify the topic of the class, summarize its major points, identify the length of the training, and list the names of the instructor and all attendees.

Training on revisions to the Department Manual shall be documented by each revision's Manual Revision Receipt. Officers shall sign the receipt as an acknowledgement that they have received the applicable training for that revision.

In cases where an employee was on leave during his work group's directive revision training, and subsequently receives his copy of the revision upon returning from leave, the issuing supervisor shall ensure that the employee receives individual instruction that is equivalent to the training received by the group.

6. Employee Association Sponsored Training

Employees attending training sponsored by private associations or

employee associations will request leave or be rescheduled through their supervisors. For MIR partial in-service credit or approved educational or rescheduled leave the training provided must comply with State, County or Department regulations.

When the Department provides partial compensation for training by allowing or assigning employees to attend courses sponsored by employee associations, the following guidelines apply:

- Any law enforcement related training provided by employee associations to employees shall comply with Arlington County Administrative Regulation 2.7, Section 9, relating to Educational Leave; as well as Arlington County Government, Equal Employment Opportunity Policy, Section II. G., relating to Career Development and Training.
- A representative from the sponsoring employee association shall notify the Training and Career Development Unit of the name of any employee that has been selected to receive upcoming law enforcement related training.
- A representative from the sponsoring employee association shall direct the selected employee to report to the Training and Career Development Unit to receive a PIC form. The Training and Career Development Unit shall instruct the employee in the proper reporting procedures.
- Employee associations' representatives shall submit the necessary information to complete the Monthly Training Report of any training sponsored. This information is due to the Training and Career Development Unit by the 10th day of each month reporting any training from the previous month.
- The Training and Career Development Unit shall be responsible for maintaining a record of any training reported by employee associations. This training will become a part of the officers' individual training record.

D. Monthly Training Report and Employee Training Records

1. Section or District Commander's Responsibilities

Each Section or District Commander shall ensure that the Monthly Training Report for their Section is completed and forwarded to the Training Unit by the 10th day of the following month.

Section or District Commanders shall be responsible for reporting only the following training on the Monthly Training Report:

a. Roll Call/In-House Training

- Title of Subject
- Instructor(s)
- Length of Training
- Names of Attendees

b. Outside Training - (Training provided by outside agencies other than Arlington County, the Training Unit or NVCJA)

- Title of Subject
- Instructor(s)
- Lesson Plan
- Length of Training
- Names of Attendees

2. Specialized and Civilian/Public Safety Employee Training

Specialized and Civilian/Public Safety Employee Training shall be provided in accordance with Manual Section 513.02 "Training for Civilian Public Safety Employees" and Manual Section 513.03 "Specialized Training."

3. Training and Career Development Unit Responsibilities

The information from the Monthly Training Report, or supplied by an individual, will be entered on the appropriate employee's training record.

The Training and Career Development Unit shall maintain Local Training and In-house lesson plans for five (5) years after the date of completion of the class. All other training records must be kept for the career of the employee plus five (5) years.

The Training and Career Development Unit shall prepare a Training Report of all training given by employee classification, class, age, and rank. This report shall be forwarded and reviewed by the Systems Management Division Commander to ensure equitable training throughout the Department.

4. Planning & Research Unit Responsibilities


This Unit will maintain training records on all changes to the Department Manual. Each Section or District Commander shall ensure that these records are completed and forwarded to the Planning and Research Unit.

5. Emergency Response Team (ERT) Responsibilities

The ERT Commander, or designee, shall furnish the Training and Career Development Unit with a monthly training report of all SWAT Team and Hostage Negotiation (HN) Team training. The training report shall be prepared in accordance with this Directive.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: August 1, 2012	Amends/Supersedes: January 1, 2008 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
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523.01 Release of Information

- I. Policy** - Information on criminal incidents and other police activities shall generally be made available to the news media and the community. Criminal incident information shall not be released if it is likely to jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

Police incident reports shall not be copied and distributed to the media or citizens, except as required by law. Employees shall not tell citizens that they can obtain a copy of an incident report. Traffic accident reports may be obtained by the parties involved upon presentation of identification and payment of the required fee.

Any employee receiving a subpoena for information or records shall immediately forward the subpoena to the Internal Affairs Section, who shall determine the appropriate response.

II. Definitions

- A. Criminal Incident Information - A general description of the criminal activity reported, the date and general location the alleged crime was committed, the identity of the investigating officer, and a general description of any injuries suffered, or property damaged or stolen.

III. Procedure

A. Release of Criminal Incident Information

1. Departmental personnel participating in or associated with the investigation of a criminal matter may release the following information:
 - information contained in a public record
 - that an investigation is in progress
 - the general scope of the investigation including a description of the offense and, if permitted by law, the identity of the victim. (The identity of sex crime victims and deceased victims when the next of kin have not been notified may not be released)

- a request for assistance in apprehending a suspect or assistance in other matters and the information necessary thereto
 - a warning to the public of any dangers.
2. Departmental personnel shall not make public statements regarding:
- the character, reputation, or prior criminal record (including arrests, indictments, or other charges of crime) of the accused
 - the possibility of a plea of guilty to the offense charged or to a lesser offense
 - the existence or contents of any confession, admission, or statement given by the accused or the accused's refusal or failure to make a statement
 - the performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests
 - the identity, testimony, or credibility of a prospective witness
 - any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case
 - the identity of any individual providing information under promise of anonymity.
3. This does not preclude releasing the following:
- the accused's name, age, residence, and occupation, provided that an arrest has been made, a warrant or summons issued, or an indictment returned (unless the accused is a juvenile). This information shall not be released if it would hinder the investigation or cause the subject to flee
 - any information necessary to aid in the apprehension or to warn the public of any dangers the accused may present, if the accuser has not been apprehended
 - a request for assistance in obtaining evidence
 - the identity of the victim of the crime, except the identity of sex crime victims, deceased victims when the next of kin have not been notified, and victims that request no publicity
 - the time and place of arrest, resistance, pursuit, use of weapons, and injuries
 - the identity of investigating and arresting officers or agencies and the length of the investigation
 - at the time of seizure, a description of the physical evidence seized, other than a confession, admission, or statement. Information about physical evidence shall not be released if it would hinder the investigation

- the nature, substance, or text of the charge
- quotations from, or references to, public records of the court in the case
- the scheduling or result of any step in the judicial proceedings
- that the accused denies the charges made against him/her.

B. Release of Non-criminal Incident Information

1. The following types of non-criminal incident information may be released by personnel authorized in this procedure:

- organizational or policy changes, or major personnel changes providing that the information has been previously released to employees of the Department
- human interest stories concerning the Department or its personnel
- disasters, calamities, accidents, traffic, or other incidents of probable public interest
- statistics.

2. The following non-criminal incident information will not be released to the news media or the general public:

- home address or telephone number of any employee of this Department
- motor vehicle accident reports or information therefrom except date, time and location of the accident, and the names and addresses of the drivers, the owners of the vehicles involved, the injured persons, and one investigating officer (Section 46.2- 379 of the VA. Code prohibits the release of the report or information other than the above from the report. The investigating officer may furnish additional information from personal knowledge, providing such information is general in nature and would not prejudice any criminal or civil proceeding which might result from the accident.)
- names of deceased prior to notification of family or next of kin
- contents of any suicide note or statement
- details regarding the medical treatment of any victim (also see HIPAA).

C. Requests for Exceptions and No Publicity Requests - Requests for exceptions to the provisions of this procedure should rarely be necessary but where they are clearly warranted, a courteous explanation will usually result in voluntary compliance by the media. Examples of situations where no publicity might be requested are listed below:

- name or address of a bereaved relative of a person who died as a result of a criminal act or accident where such relative has requested no publicity

- name of victim of criminal act where the victim has requested no publicity
 - under certain circumstances, false threats to bomb a public building or kidnap a prominent person
 - name of person who has attempted to commit suicide.
- D. Interaction with News Media - Every officer of the rank of Sergeant and above is a "public information officer" when in contact with the media and should be open and cooperative. In most cases, the officer having firsthand knowledge of the facts and circumstances surrounding an incident, should release any information not specifically excluded under this directive. Where exceptions occur, the officer making the request should be prepared to justify the request to the Chief of Police and patiently and courteously explain to the media representative, the reason for the no publicity request.
- E. Multi-agency events - Whenever an event involving this Department in concert with another public service agency (e.g. Fire Department or Department of Human Services) occurs, the agency having primary jurisdiction will be responsible for releasing relative information. This does not preclude this Department from releasing information pursuant to its specific involvement, although the primary agency should be made aware of this information before its release. The same policy will apply when working in cooperation with agencies of other governmental jurisdictions.
- F. Release of Medical Information - Medical information released by this Department shall be limited to the apparent extent and type of injury noted at the time of the incident. If a person refuses medical treatment or is treated at the scene and released, that information may be disseminated. If a person is transported to a hospital or other medical facility, it will be the responsibility of that facility to release information regarding the patient's injuries and condition.
- G. Freedom of Information Act Requests - The Freedom of Information Act (FOIA) is outlined in Virginia State Code Section 2.2-3700. All FOIA requests received by Department personnel will be forwarded to the Internal Affairs Section. The Internal Affairs Section Commander shall coordinate the response to FOIA requests. Certain personnel records and criminal information are exempt from the Act. Any requests for official records that are exempted by other statutes are not governed under this procedure.
- H. Requests for Information - Requests for information concerning cases under investigation will be referred to the Public Information Officer, or if off duty, the ranking supervisor on duty in the Operations Division. If the supervisor on duty is not authorized to release information other than report content, the caller should be informed that the call will be returned and the supervisor will attempt to locate one of the persons identified in III.D-F, who shall respond to the query. If none is available, the supervisor will contact the caller and ask that the request be deferred until the Public Information Officer's next duty day. The departmental representative will notify the Public Information Officer

about this release on or before the Public Information Officer's next scheduled workday.

The Public Information Officer is to be notified of other than routine information released to the media by employees of the department. This notification should take place on or before the Public Information Officer's next scheduled workday.

Private citizens calling for information concerning police operations, procedures, authority, or requesting information concerning interpretation of the law should be referred to the appropriate Division Commander or Police District. Questions concerning interpretation of the law may also be referred to the Office of the Commonwealth's Attorney.

The release of information by Records Management Unit personnel is governed by applicable state and local laws, the Department's rules and regulations, and the unit's operating procedures. In general, copies of motor vehicle accident reports are available to the parties involved in the accident; copies of police incident reports are not available to the media or public, but a written verification of a specific incident or confirmation that a report was made may be given to the victim or complainant involved in the incident.

- I. Handling of On-Scene News Media - Officers in command at the scene of a crime, special event, emergency, or other incident of a spectacular or unusual nature likely to stimulate general community interest shall have the following additional responsibilities:
 1. have the Public Information Officer or other employee performing such role, informed of the incident by radio or phone
 2. unless instructed otherwise by the Public Information Officer, act as news media liaison officer or designate a subordinate to provide appropriate information to news media representatives on the scene

Accredited media representatives gathering news shall be permitted access through police barricades at the scene of major fires, natural disasters, or other such incidents, but shall not obstruct police, fire, or rescue personnel in the performance of their duties at the scene. Representatives who interfere with operations may be excluded from the scene. Such accredited media representatives may also be permitted access to the perimeter of crime scenes but not within the crime scene itself. A crime scene is defined as an area secured by the police in order to preserve and process evidence of a criminal act. Access may be permitted after all evidence has been processed and collected. However, the police have no standing to invite the media into private premises without the consent of the owner or person in charge of the premises.

Officers at the scene shall take no action to discourage the news media from photographing or televising persons or scenes except as provided for in the preceding paragraph. However, officers at the scene shall give no

physical assistance to the news media in the photographing or televising of persons or crime scenes, and shall not direct or encourage victims, witnesses, or prisoners to be photographed or televised by the news media.

- J. Persons in Custody - News media representatives shall not be permitted to interview a person in custody, though such person may, through request to Sheriff's Office personnel, ask for an interview with the media following booking and incarceration in the jail.
- K. Statistics - Requests of crime statistics from the news media shall be handled by a Public Information Officer. In the absence of a Public Information Officer, requests of an immediate nature may be directed to the Information Management Unit. The Media Relations and Public Affairs Office and Crime Analysis/GIS are the only authorized sources for releasing crime statistics to the news media.

Crime Analysis/GIS is responsible for the generation of crime statistics. Release of statistical information will not be made for an area smaller than a reporting area unless the request is received in writing, stating the specific need for the information, and is approved by the individual Police District Commander.

To protect privacy interests, requests approved by Police District Commanders regarding residential locations will be released for an area no smaller than block ranges. Approved requests for commercially licensed locations may be released for a specific address.

- L. Sanctions and Complaints - No employee shall knowingly and unnecessarily obstruct news media representatives in the performance of their duties.

Any complaint against any employee by a member of the news media shall be recorded on the standard departmental personnel complaint form and signed by the complainant. This report shall then be forwarded to the employee's Division Commander for action.

When an employee lodges a complaint against a member of the media, the Public Information Officer will receive and record such complaint and make such investigation as deemed appropriate. Where the complaint is found to be valid, the Public Information Officer will cause a letter to be forwarded to the representative specifying the charges made and substantiated and requesting the representative to avoid such conduct in future contact with the department. A second substantiated complaint against the same representative will be brought to the attention of the editor or other appropriate managerial official of the sponsoring agency.

- M. Homicide/Suicide Special Conditions - During the investigation of a homicide or suicide, the decision as to what information may be released to the media will be made by the ranking Criminal Investigations Division supervisor involved, based on the guidelines below, after consultation with any other

higher-ranking personnel on the scene or by direction of the Chief of Police.

Since each investigation is unique, the information to be released must be determined on a case-by-case basis.

Generally, the following information will be released:

- the fact that a death has occurred and whether it is believed to be a homicide or suicide
- the apparent means of death, if known, such as stabbing, shooting, suffocation, etc.
- whether another crime is believed to have occurred, such as robbery, burglary, etc. However, information regarding sex related offenses will not be released
- verifying information which is already public knowledge such as the details given in the ECC dispatch or events which occurred in public.

Information which will not be released:

- specific information which would likely be known only to the perpetrator, such as methods of operation, rituals, use of unusual weapon or infliction of unusual wounds, etc.
- details regarding possible evidence or motive.

IV. Responsibilities

- A. The Public Information Officer/Specialist - Whether on or off duty, the Public Information officer shall be immediately notified by the Emergency Communications Center (ECC) of any confirmed report involving a homicide, or the death or serious injury to, or a critical incident involving a police officer, department head of another county agency, high ranking local, state, or federal official, or other prominent person.

Notification to the Public Information Officer regarding other incidents or situations will be at the discretion of the ranking on duty supervisor in the unit or section that has primary responsibility for the incident.

When called while off duty, the Public Information Officer shall determine the need to respond in person or allow the scene supervisor to release information as it becomes available. When on duty, the Public Information Officer shall notify the media and personally respond to the scene to assist media representatives in obtaining timely and accurate information.

When a request for information regarding an incident is received, the Public Information Officer is authorized to excerpt or read any non- restricted information from the report and answer such questions as can be answered within the scope of this procedure. The incident report will not be made available to the media or the public but may be released to a law enforcement agency.

The Public Information Officer shall ensure that summaries of significant events are released to the public through various means of communication. All local media representatives will be made aware of the appropriate contact information of the Public Information Officer. This information may also be disseminated through additional means in the interest of keeping the media and citizens informed of events occurring in the County.

- B. Other Personnel - Information concerning organizational or policy changes or major personnel changes will be released on the authority of the Division Commander where only that Division is concerned, otherwise the Office of the Chief of Police will authorize release.

Information concerning disasters, calamities, accidents, traffic, or other incidents of probable immediate public interest may be released by the supervisor in charge or as otherwise provided herein.

An employee not involved in an investigation who is providing information to the media, or the community may only read releasable excerpts from the report or charges from a warrant. Such employee can offer no speculation. Additional interpretive information can only be provided by the following persons:

- the officer handling the initial investigation
- the officer's supervisor(s)
- the investigator assigned to the follow-up investigation
- the investigator's supervisor(s)
- Media Relations and Public Affairs Office.

- C. ECC - When a representative of the media calls the ECC for routine matters such as traffic conditions, they shall furnish the information or refer the question to an immediate supervisor. The ECC is authorized to release certain information to the media; the same as the Public Information Officer.


Media inquiries to the ECC regarding a specific incident in progress, or one that has occurred within the past hour, shall be answered by the ECC with confirmation that a report of such incident has been received. The ECC may give the type of incident, time of incident, type of response (police, fire, rescue), and location (block number and street name only) of the incident if the information is readily available and time permits.

During unusual circumstances, such as adverse weather, the ECC shall attempt to answer media inquiries concerning road conditions, number of accidents, power failures, etc., to the best of their ability, provided it does not interfere with their job performance.

The ECC shall be informed of any news release prepared and distributed by the Public Information Officer or any other employee of the department, whether the news release was done telephonically, electronically or by some other means.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: September 1, 2015	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s):			

560.01 Computerized Data

I. Policy

The Department has access to various computerized data banks administered by several law enforcement agencies. As a condition of this access, we must comply with the standards, procedures, formats, and criteria promulgated by these programs to ensure proper operation regarding retrieval and dissemination of the data. Operating manuals for NCIC, VCIN, and ACCIS are located near each ACCIS terminal and in the Emergency Communications Center (ECC). The entry and maintenance of active computerized records is essential for the efficient operation of the Department and for the protection of the community. Data received from a computerized bank is just one of several elements used to establish probable cause.

II. Definitions

- A. Arlington County Crime Information System (ACCIS) - An in-house computerized data bank comprised of several subsystems as well as the capability of connecting to NCIC/VCIN.
- B. Criminal Justice Information (CJI) – Data provided by computerized data banks necessary for law enforcement agencies to perform their mission and enforce the laws, including but not limited to: biometric, identity history, person, organization, property (when accompanied by any personally identifiable information), and case/incident history data.
- C. Department of Motor Vehicles (DMV) - This term may be used generically to refer to any state agency with responsibility for licensing motor vehicles and drivers.
- D. Hit - a positive response to an inquiry from any computerized data bank.
- E. Interstate Identification Index (III) - A nationwide computer system, tying together the FBI and state criminal history files.
- F. National Crime Information Center (NCIC) - A nationwide computerized data bank administered by the Federal Bureau of Investigation (FBI) containing information concerning wanted and missing persons and stolen vehicles and property.

- G. National Law Enforcement Telecommunications System (NLETS) - An interstate computerized message switching system capable of receiving, storing, and forwarding messages from one agency to another.
- H. Police Records Management System (PRMS) - A subsystem of ACCIS providing a wide variety of services and support regarding incidents, names, wanted persons, property, stolen vehicles, arrests, citations, and other law enforcement activities.
- I. Soundex Hit - A response from the NCIC, VCIN, and ACCIS systems which is based on similar names, dates of birth, or social security numbers. These returns may not be valid hits and must be carefully evaluated.
- J. Virginia Criminal Information Network (VCIN) - A statewide computerized data bank administered by the Virginia State Police containing information concerning wanted and missing persons and stolen vehicles; also provides links to DMV, the Central Criminal Records Exchange (CCRE), and other automated data bases.

III. Procedure

- A. Access and Use – Any computer terminal with CJIS information shall be kept in a secure location within the Department, accessible only by authorized employees through swipe card access. Employees shall adhere to the building access restrictions outlined in Manual Section 425.16 *Police Headquarters*.

Information from computerized data banks shall be accessed only for legitimate law enforcement purposes. Authorized employees shall access the information in accordance with the standards in Manual Directive 560.04 *Computer Use and Security*.

- B. NCIC/VCIN - All information contained in NCIC/VCIN entries such as names, dates of birth, numeric identifiers, physical descriptors, and aliases must be documented on the appropriate department forms, properly completed, and signed by the requesting officer. This information must also be included in the report and any supplements.

Requests for NCIC/VCIN entries and/or Administrative Messages will be accepted by phone only under the following circumstances:

- stolen autos, motorcycles, or tags
- wanted persons where the offense is of a violent nature and/or where the possibility of an immediate apprehension exists
- flash lookouts in connection with a recently committed offense

All information contained in NCIC/VCIN entries must be documented in the report and any supplements.

Employees receiving a hit or soundex hit on an NCIC/VCIN inquiry, including mobile computer terminal initiated inquiries are responsible for the following confirmation procedures:

- The hit shall be compared to the inquiry to insure that no errors were made in the name, date of birth, social security number, sex, or race data. CAUTION: The ECC can only confirm that the subject in the hit is still wanted. The ECC cannot determine if the person who is the subject of the inquiry is the wanted person. The burden of verifying a hit or soundex hit rests with the officer conducting the inquiry.
- The data contained in the hit shall be compared to the property or person which is the subject of the inquiry. Special attention should be given to individual descriptors such as scars, marks, tattoos, height, weight, race, etc. Additional information from the originating agency such as a FAX photo may be needed in cases where identification is uncertain. It is always better to release a subject if identification is uncertain. An employee should contact a supervisor when in doubt.
- The employee shall request the ECC to confirm the hit with the originating agency.
- The employee shall request a hard copy (printout) of the hit. This copy is dated and initialed just as though it were evidence and retained until a court hearing or Grand Jury indictment has been completed. The copy should include the incident number.
- A copy of the hit and a copy of the NCIC/VCIN entry removal message/notification of originating agency shall be attached to the original police incident report.

Employees locating a missing person, making an arrest of a subject, or recovering a stolen vehicle or stolen property entered into NCIC or VCIN have the following additional responsibilities:

- If the NCIC or VCIN entry is an Arlington County entry, insure that the entry is cleared and that the entering employee is notified of the arrest or the missing person or property recovery.
- If the NCIC or VCIN entry is by another agency, personally contact that agency to advise them of the arrest or recovery, then contact the ECC to have a "Locate" message appended to the NCIC or VCIN entry.

C. Wanted Persons - The following criteria shall be used to determine which computerized file should contain the wanted persons entry:

1. NCIC - An individual for whom a felony or serious misdemeanor warrant is outstanding or who is wanted for a probation or parole violation where the original offense was a felony or serious misdemeanor or who is wanted for a probation or parole violation where the original offense was a felony or serious misdemeanor providing that extradition has been authorized for this individual or where past practices would lead to a reasonable conclusion that extradition would be sought.

2. VCIN - Wanted persons who otherwise meet the criteria for NCIC entry but who will not be extradited. The Commonwealth's Attorney has determined that Class 1 and Class 2 misdemeanors satisfy the criteria for VCIN entry.
3. ACCIS/PRMS - Wanted persons who do not meet the criteria for NCIC or VCIN entry may be entered in the ACCIS/PRMS wanted persons file. If, at the time of entry, a known limitation on extradition exists, information concerning the limitation must be included in the entry. Only one entry per agency can be made in the system regardless of the number of charges against the subject.

For entries other than a temporary felony want record, the warrant must be kept on file in this department. By written agreement, Metro Transit Police can have entries made through our system if the subject is wanted for an offense which occurred in Arlington. They must keep their warrants on file in Arlington.

RMS has the capability of producing a list of wanted persons who live in Arlington County. This information can be obtained by using the (WRPT P) screen, users may search by geographic ranges of county, census tract or reporting area. Date ranges should be limited to no more than 60 days. Whenever possible, inquiries should be run during non-peak times. No law enforcement action should be taken on the basis of the WRPT printout alone as it is merely a list of warrants that should be on file with the Department. The existence of a warrant should always be verified via the Emergency Communications Center (ECC).

All available information concerning a subject must be documented on the Wanted Persons Entry Request form at the time of entry. Under Virginia State Code, law enforcement agencies are required to enter the accused's name and other appropriate information required by the Virginia Department of State Police identifying an individual for whom a felony warrant or capias was issued. The entry is to be filed within seventy-two hours of the receipt of the warrant or capias.

When additional information becomes available, the entry must be updated to include the newly acquired information. Computerized criminal history inquiries through the III system should be made prior to or soon after making the wanted persons entry. A positive response to this inquiry may reveal physical descriptors, identifying numbers and aliases not known to the inquirer and also arrest, court and/or custody-supervision data which might provide investigative leads. Any additional identifying data gained through the III inquiry should be added to the wanted person's entry.

- D. Criminal History - Requests for computerized criminal history (CCH) may be made through the ECC or ACCIS-PRMS.

Requests made through the ECC may be in person, by signed memorandum, or informal memorandum. Telephone requests are permitted, but the call-taker must use extreme caution to verify the identity of the caller as an employee of the Arlington County Police Department. (In person requests are preferred.)

A CCH logbook is located in each room housing a terminal with computerized criminal history information (CCHI) capability. All requests for CCHI which will be released to anyone outside this Department (secondary dissemination) must be recorded in a CCH logbook. Secondary dissemination is permitted from only these locations: the ECC, NOVARIS, Records Management Unit, Drug Task Force and booking terminals. (The use of the ACCIS-PRMS request screen for recording the transaction does not meet VCIN/VSP standards.)

Requests made through the ACCIS-PRMS are restricted to terminals which have that capability and to employees who have authorized access. The PRMS automatically records the employee's name, time, date, and terminal each time a request is made. CCHI responses received through the ACCIS-PRMS for primary dissemination are not required to be recorded into the CCH log and will not be released to anyone outside of this Department.

The radio shall not be used routinely for the transmission of CCHI beyond that information necessary to effect an immediate identification or to ensure adequate safety for officers and the general public. When an officer determines there is an immediate need for this information to further an investigation or there is a situation affecting the safety of an officer or the general public, then details of CCHI may be transmitted.

Dissemination of CCHI by FAX machine is prohibited.

CCHI will be received immediately if the information is available on-line, otherwise it will be received by U.S. Mail.

Officers and employees receiving a hard copy of CCHI are responsible for its safekeeping. When it is no longer needed, it shall be destroyed by shredding or by tearing it into pieces no larger than two (2) square inches.

CCHI received by any member of this department may be shared with any other member of this department, provided that person also needs the information and is also authorized to have the information.

Access to CCHI is limited to criminal justice agencies, and may be used only for criminal justice purposes. CCHI should not be placed on the Hot Sheet or Roll Call boards. An automated record is maintained of all requests for CCHI. EMPLOYEES WHO WILLFULLY DISREGARD THE CONFIDENTIALITY OF CCHI OR THE PROVISIONS OF THIS PROCEDURE WILL BE SUBJECT TO DISCIPLINARY ACTION.


- E. NLETS/DMV - Information concerning vehicles and drivers obtained via NLETS or VCIN will be used by law enforcement personnel and for law enforcement purposes only. Printed transcripts must be destroyed when they have served the purpose for which they were obtained.

Those inquiries initiated as part of an ongoing criminal investigation where disclosure of the inquiry would compromise the investigation must be indicated as such in the RMS inquiry field.

Non-law enforcement agencies and personnel requiring access to DMV-type information should be referred to the state agencies responsible for such information.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: March 1, 2005	Amends/Supersedes: N/A	By Authority of the Chief of Police  Charles A. Penn
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562.01 Records Retention and Disposal

- I. Policy** - The Police Department accumulates and maintains various records throughout the organization. Such records may include, but are not limited to, personnel records, law enforcement records, training records and other types of correspondence.

The Records Management and Imaging Services Division of the Library of Virginia maintains Records Retention and Disposition Schedules for government agencies. These schedules constitute a legal plan for maintaining and destroying records and information. The Police Department shall comply with these provisions and any other applicable federal, state, and county laws.

The Commander of the Information and Technology Management Section shall be the designated Records Officer and will assist Department personnel in identifying all vital, archival, and permanent records and ensuring records are properly maintained.

Department personnel shall ensure the records applicable to their assignment are retained for at least the time span set forth in the General Retention Records and Disposition Schedules. These schedules are available and distributed by the Records Officer.

II. Procedure

- A. Personnel Records - County Personnel maintains a personnel file on all County employees. This is an employee's official personnel file. The Human Resources Management Section (HMRS) of the Police Department maintains a department master personnel file. Those documents in the Department master personnel file are retained and destroyed in accordance with the State Records Retention and Disposition Schedules. An employee's department master personnel file may contain the following documents:

- Condition of Employment Agreement
- Manual Receipt Form
- Performance Appraisals
- Rebuttal to a Performance Appraisal
- Letter of Commendation
- Letter of Corrective Action

- Memos of transfer/assignment
- Memos of promotion/appointment
- Merit Award Memo
- Exceptional Employee Award Memo
- Superior Performance Award Memo
- Memo of resignation/retirement/termination
- Final Clearance Sheet
- Any awards or nominations recognizing law enforcement service
- Employer First Report of Accident Form (copy of Worker's Compensation Form)
- Status reports from doctor(s) in reference to light duty, time off, or return to work.
- Injury Reports (vehicular/non-vehicular)
- Request to Carry Personal Firearm Off/On Duty Form
- Applicant Background Package

The Department master personnel file is kept in a secure area and access restricted to those persons legally permitted to review these records.

The personnel files maintained by each Division or Section are at the discretion of the Commander. The only documents that are mandatory for each section to maintain are the Emergency Notification, Change of Address and Personnel Skills Inventory Forms.

A copy of an Emergency Notification Form for each employee will be maintained at the section level. Even though the information contained on the form is used to update the RMS records, a copy is to be maintained, in the event the RMS records are unavailable.


When an employee receives his/her annual performance appraisal, the Emergency Notification, Change of Address and Personnel Skills Inventory Forms on file should be reviewed and any necessary changes made. When an employee updates one of these forms, a duplicate is to be forwarded to the HRMS for input into RMS.

- B. Medical Records - The Occupational Health Unit maintains all physical examination files pertaining to an employee. The HRMS or its contractor permitted to conduct such investigations shall maintain the results of psychological examinations. These files are kept in a secure area and access restricted to those persons legally permitted to review them. The Commander of the Support Management Section maintains the Blood Pathogen Exposure Report.

- C. Training Records - The Training and Career Development Unit maintains all training documents, firearm training records, educational assistance program, Individual Development Program (IDP) form, and the recruit training package forwarded from the Academy. Firearm registration, assignments and inspection records are maintained by the Armory.
- D. Internal Affairs Records - The Internal Affairs Section maintains use of force reports, pursuit reports, and internal investigation reports. These files are kept in a secure area and access restricted to those persons legally permitted to review them.
- E. Investigative Records - The Criminal Investigations Division maintains all investigative files. These files are retained and disposed of in accordance with the State Records Retention and Disposition Schedules.
- F. Miscellaneous Records - The Office of the Chief maintains Off Duty Employment Permits. The Systems Management Division Commander's Office maintains security system records and Individual Development Program (IDP) forms. The Property Management Unit maintains the Individual Equipment Issuance Record. VCIN re-certification documents are maintained by the terminal agency coordinator.
- G. Destruction of Records - Requests to destroy records for which the minimum retention period has lapsed shall be submitted to the Records Officer. A Certificate of Records Disposal must be completed prior to destroying records. The signature of the Records Officer constitutes official approval to destroy the records. Once the records have been destroyed, the original completed Certificate of Records Disposal form is submitted to the Records Management and Imaging Services Division. This form is retained permanently by the Library of Virginia.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: June 22, 2022	Amends/Supersedes: May 18, 2018 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.07.09			

540.02 Vehicle Escorts

I. Policy

The department provides Vehicle Escorts as a courtesy and establishes this directive to set forth the procedure for accepting and conducting such escorts.

II. Definition

- A. Vehicle Escort – the use of police vehicles to accompany one or more vehicles on public roads for the purposes of expediency, safety, or dignitary protection. Vehicle Escorts typically involve brief closures of intersections or traffic lanes as the escorted vehicles move toward their destination.

III. Procedure

A. Escort Criteria

1. All Vehicle Escort requests must be submitted at least 24-hours prior to the start of the escort.
2. All Vehicle Escorts must be approved by a Special Operations Section (SOS) supervisor. If an SOS supervisor is not working or unavailable, a Patrol supervisor may approve an escort request.
3. The person requesting a Vehicle Escort must inform all escort participants of any requirements to participate in the escort and provide all equipment necessary to conform with these requirements.
4. The person requesting a Vehicle Escort is responsible for coordination with other agencies if the procession is traveling into another jurisdiction.

B. Authority and Responsibility

1. Officers may refuse to start any Vehicle Escort which presents a safety hazard. If an officer refuses to start a Vehicle Escort for any reason, a supervisor must be contacted immediately. The person requesting the escort may choose to proceed without police assistance.
2. Officers shall choose the route of the Vehicle Escort based upon resources available, weather, time of day, traffic flow, road hazards, and any permits issued.


3. In most instances, officers will not stop traffic while the Vehicle Escort is traveling on an interstate highway. For any Vehicle Escort expected to travel on an interstate highway, officers will ensure escort participants are advised of this.
4. In the event the Vehicle Escort is larger than anticipated, the officer in charge will consider whether it is appropriate to:
 - a. Complete the escort as requested.
 - b. Delay the start of the escort until additional assistance arrives.
 - c. Limit the escort to a manageable number of vehicles.

C. Vehicle Requirements

1. Police vehicles - Police vehicles participating in a Vehicle Escort shall have all emergency lights in operation at all times. Vehicle sirens should be used as needed to warn other drivers.
2. Marked police vehicles are preferred for Vehicle Escorts. If the number of marked police vehicles needed to safely conduct a Vehicle Escort is not available, unmarked police vehicles equipped with emergency equipment may be utilized with a supervisor's permission.
3. Non-police vehicles - All non-police vehicles participating in a Vehicle Escort shall have their headlights on. Officers will ensure escort participants are advised of this requirement.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: August 8, 2022	Amends/Supersedes: February 15, 2022 July 1, 2020 April 24, 2017 February 1, 2012 August 15, 2011 August 12, 2010 January 1, 2008	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): ADM.02.05, ADM.02.04			

523.04 Immigration Status and Access to Police Services

I. Policy

The Arlington County Police Department is committed to protecting the rights of all residents and visitors, regardless of their immigration or citizenship status. A person's right to file a police report, participate in police-community activities, or otherwise benefit from police services is not contingent upon citizenship or immigration status.

The enforcement of the nation's immigration laws is the responsibility of the federal government. Therefore, the Arlington County Police Department does not conduct immigration enforcement investigations.

II. Definitions

- A. T Visa – A visa that protects victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking.
- B. U Visa - A visa that is set aside for victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity.

III. Procedure

A. Immigration Status and Police Interactions

1. As required by the [Code of Virginia §19.2-11.02](#), officers shall not, in connection with the report, investigation, or prosecution of a criminal violation of state or local law, inquire into the immigration status of any person who is a victim of a crime, the parent or guardian of a minor victim of a crime, a witness in the investigation of a crime, or the parent or guardian of a minor witness to a crime.

§19.2-11.02 does not prohibit an inquiry into the immigration status of a parent or guardian of a minor victim when that parent or guardian has been

arrested for, charged with, or is being investigated for a crime against the minor victim.

2. A person's right to file a police report, participate in police-community activities, or otherwise benefit from police services is not contingent upon their immigration status. Consequently, officers shall not question any person about their immigration status.
3. Officers shall request identification documents only for the purpose of establishing a person's identity. Officers shall not request identification documents for the purpose of establishing a person's immigration status or for immigration enforcement purposes. Failure to provide identification shall not constitute a criminal offense.
4. Officers shall not contact, detain, or arrest a person solely for a suspected immigration violation.
5. Officers may not detain or arrest a person based solely on federal administrative or civil immigration warrants or detainers. Any enforcement of such warrants or detainers is prohibited. Officers must carefully evaluate NCIC entries to ensure their actions are in compliance with this subsection.
6. Except as otherwise prohibited in this manual section, officers who develop reasonable suspicion of a person's status as an undocumented immigrant while conducting a criminal investigation may contact federal immigration authorities under the circumstances listed below. Officers contacting federal immigration authorities under this subsection may not extend a criminal investigative detention ("Terry stop") for the purpose of making such contact.

Before contacting federal immigration authorities or taking any action under this subsection, officers must first notify and get approval from either the on-duty Watch Commander or any supervisor with the rank of Lieutenant or above.

Officers contacting federal immigration authorities under this subsection shall document in a Case Report or Case Supplement:

- The name and rank of the approving supervisor.
- The name, position and/or rank, and phone number of the federal immigration authority contact they spoke to.

Additionally, officers contacting federal immigration authorities under this subsection shall notify the Office of Professional Responsibility (OPR) by email at ACPDInternalAffairs@arlingtonva.us of such contact prior to the end of their shift. OPR will maintain a log of federal immigration authority contacts for tracking purposes and shall publish such data annually. The circumstances under which officers may contact federal immigration authorities are:

- a. An undocumented immigrant who is arrested for a violent felony.

- b. An undocumented immigrant who is arrested for a non-violent felony where circumstances indicate notification to federal immigration authorities is prudent to maintain community safety. Such circumstances must be based on specific, articulable facts that clearly establish a threat to the community.
- c. Probable cause exists to arrest an undocumented immigrant under the [Code of Virginia §19.2-81.6](#).
- d. An undocumented immigrant who is arrested for a terrorism or human trafficking offense or is reasonably suspected of participation in terrorism or human trafficking activity.
- e. An undocumented immigrant who is arrested for a criminal street gang offense or who is identified as a member of a criminal street gang by meeting the criteria set forth in the [Code of Virginia §52-8.6](#). The approving supervisor shall ensure the Gang Unit is consulted before making notification to federal immigration authorities under this subsection.


B. T and U Visas

- 1. The forms, qualifications, and special instructions for both a T Visa ([Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons](#)) and a U Visa ([Form I-918, Supplement B, U Nonimmigrant Status Certification](#)) are available online at the [United States Citizenship and Immigration Services](#) website.
- 2. All requests for law enforcement certification of a T or U Visa will be forwarded to OPR for review and assignment to the CIS Commander, who is the designated certifying official.
- 3. These forms shall be completed by the CIS Commander and returned to OPR for tracking purposes. Under [Code of Virginia §9.1-1501](#) ***Certifications for victims of qualifying criminal activity***, the CIS Commander shall respond to a T or U Visa request within 120 days, unless the requestor agrees to an extension in writing.
- 4. Requests for expedited review of a T or U Visa request must be made in writing. These requests must establish eligibility for expedited review under one of the following circumstances:
 - a. The requestor is seeking certification. In this circumstance, the CIS Commander shall complete the response no later than 90 business days after the request is received.
 - b. The requestor seeking recertification has a deadline to respond to a request for evidence from federal immigration authorities. In this circumstance, the CIS Commander shall complete the response no later than 21 business days after the request is received.
 - c. The requestor is in federal immigration removal proceedings or detained. In this circumstance, the CIS Commander shall complete the response no later than 21 business days after the request is received.

- d. The twenty-first birthdate of the requestor's children or the eighteenth birthdate of the requestor's sibling is within 120 days of the date of the request. In this circumstance, the CIS Commander shall complete the response no later than 30 days after the request is received.
 - e. The requestor's children, parents, or siblings under section b would become ineligible for benefits under 8 U.S.C. § 1184(p) and 1184(o) in less than 21 business days of receipt of the certification request. In this circumstance, the CIS Commander shall complete the response no later than seven business days after the request is received.
- 5. If an applicant does not meet the criteria set forth in either form, or it cannot be determined whether the applicant meets the criteria, the CIS Commander can refuse to endorse the certification and shall return the form to OPR with a memo outlining the reason(s) for their actions. OPR shall then provide a written explanation to the person or the person's representative
 - 6. If, after completion of a certification form, the CIS Commander later determines that the requestor was not the victim of qualifying criminal activity or the victim unreasonably refused to assist in the investigation or prosecution of the qualifying criminal activity of which they are the victim, the CIS Commander may notify federal immigration authorities in writing. A copy of any such notification shall be forwarded to OPR.
 - 7. Completion of a certification form by a certifying official merely verifies factual information relevant to the federal immigration benefit sought, including information relevant for federal immigration officials to determine eligibility for a T or U Visa. Completion of a certification form shall not be considered sufficient evidence that an applicant for a T or U Visa has met all eligibility requirements for that Visa. Completion of a certification form shall not be construed to guarantee that the requestor will receive federal immigration relief. It is the exclusive responsibility of federal immigration officials to determine whether a person is eligible for a T or U Visa.
 - 8. The immigration status of a victim or person requesting a certification form shall not be disclosed, except to comply with federal or state law or a legal process or if authorized by the victim or person requesting a certification form.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 1 Introduction	Effective Date: June 4, 2021	Amends/Supersedes: August 8, 2018 November 24, 2009 March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s):			

Message from the Chief of Police

The policies, procedures, rules, and regulations of the Arlington County Police Department are published in a variety of ways. This Directives Manual is the primary means of publication, providing ACPD employees with standard procedural guidance on the handling of police incidents and the discharge of other public duties. It also imposes certain rules and regulations with respect to employees' personal and professional conduct.

Provisions of the Directives Manual have no expiration date. When a Manual provision is revised or deleted, employees are instructed to remove the obsolete material and replace it, where applicable, with revised language. A current, accurate electronic version of the Manual is always available to employees on the "L" directory of the County's local area network, as well as the Department's "Power DMS" server. Additions, revisions, and deletions to the Directives Manual are authorized by the Chief of Police only.

In addition to the Directives Manual, the Arlington County Police Department occasionally publishes "Special Orders." These orders provide guidance of a temporary nature and have clearly stated expiration dates. Where a conflict exists between a Special Order and a provision of the Directives Manual, the Special Order takes precedence. Only the Chief of Police or an Acting Chief of Police may publish a Special Order.

Commanders of departmental sections, units, and programs are authorized to publish Standard Operating Procedures (SOP) for their respective commands. These SOPs codify office procedures and impose regulations applicable to personnel assigned to particular sections, units, or programs. Where any provision of a local SOP conflicts with the Directives Manual, a Special Order, or another plan or order issued by a higher authority, the SOP provision shall be deemed null and void.


The Police Department and the County Government publish a limited number of contingency plans narrowly tailored to specific circumstances. For example, the County Government publishes an emergency operations plan to coordinate its multi-agency response to disasters and terrorism threats. Generally, these plans supersede all standing orders of the Police Department. If an employee encounters an apparent conflict between a published contingency plan and an ACPD directive, the employee shall initially obey the contingency plan and seek clarification from a superior officer.

The County Government also publishes administrative regulations that govern all agencies of the County. These administrative regulations always supersede a Police Department directive. Any employee finding an apparent conflict between a County Administrative Regulation and a provision of a Police Department directive shall obey the administrative regulation, and promptly bring the conflict to the attention of the Planning & Research Unit.

Finally, my signature (page 1) affirms that all policies, procedures, regulations, and other provisions appearing anywhere in this Manual are approved by me and are official directives of the Arlington County Police Department.



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: July 1, 2020	Amends/Supersedes: N/A	By Authority of the Chief of Police  Charles A. Penn
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538.08 Emergency Substantial Risk Orders

I. Policy

The Department will only employ Emergency Substantial Risk Orders to temporarily remove access to guns from individuals who are at an elevated risk of violence towards self or others. The intention of an intervention will at all times be to provide an opportunity for an individual in crisis to access community resources before a tragedy occurs.

II. Code Requirements

A. § 19.2-152.13. through § 19.2-152.17.

III. Definitions

- A. Substantial Risk Order – An order issued by the Circuit Court that continues to restrict an individual from owning, possessing, or purchasing a firearm, for up to 180 day unless extended by the court, who poses a threat of personal injury to themselves or others.
- B. Emergency Substantial Risk Order (ESRO) – An order issued by a magistrate that allows law enforcement to temporarily prevent an individual from owning, possessing, or purchasing a firearm who poses a threat of personal injury to themselves or others.
- C. Firearm - Any handgun, shotgun, or rifle that will or is designed to or may readily be converted to expel single or multiple projectiles by action of an explosion of a combustible material.
- D. Handgun - Any pistol or revolver or other firearm originally designed, made and intended to fire single or multiple projectiles by means of an explosion of a combustible material from one or more barrels when held in one hand.

IV. Procedure

- A. Issuance of ESRO

1. When an officer has determined that a person poses a substantial risk of personal injury to themselves or others by possessing or acquiring a firearm the officer shall seek an ESRO. If the person refuses to voluntarily relinquish their firearm(s) or the officer has reason to believe that the person has not relinquished all firearms in their possession the officer may obtain a search warrant.

B. Service of ESRO

1. The ESRO should be entered into VCIN and an attempt to serve the ESRO will be made immediately afterwards.
2. The copy of the ESRO and supporting affidavit will be provided to the subject together with a notice informing them they have a right to a hearing in Circuit Court.
3. The subject will be advised that it is unlawful for them to purchase, possess, or transport a firearm while the order is in effect and they shall be given the opportunity to voluntarily relinquish any firearm within their custody to the Department.
4. When asked by the officer during their investigation, the subject of an ESRO must fully disclose the location of all firearms owned by them, in their possession, or accessible to them. Failure to do so is considered a false statement under Virginia Code § 19.2-152.16. False statement to law-enforcement officer, etc.; penalty.
5. Additionally, if the person has a concealed handgun permit that must be surrendered also.
6. The subject of the ESRO shall be provided with a written receipt by the officer taking possession of the firearms. The receipt will have the subject's name printed on it and contain a record of the manufacturer, model, condition, and serial number of each firearm surrendered to the Department.
7. If the officer has reason to believe the person subject to the ESRO has not relinquished all of their firearms they may obtain a search warrant.
8. Upon service of the ESRO, the date, time of service, and other appropriate information required shall be entered into VCIN.

C. Storage of Relinquished Firearms

1. Firearms relinquished by a person subject to an ESRO will be secured, packaged, and stored in accordance with Manual section *514.07 Property*.
2. The seizure of ammunition and magazines associated with the relinquished firearms is not required.

3. Once the firearms are in the possession of the Department, they will remain in police custody until otherwise directed by the Commonwealth's Attorney even if another party claims ownership.
4. A person who **voluntarily** relinquishes their firearms to law enforcement will be given an opportunity to petition the Circuit Court to have their firearms transferred to an individual of their choosing in accordance with the provisions outlined in § 19.2-152.14.

D. Return of Firearms

1. Any firearm taken into custody pursuant to an ESRO/SRO shall be returned to the person from whom the firearm was taken upon issuance of a court order or the expiration or dissolution of an order issued pursuant to § 19.2-152.13 or 19.2-152.14.
2. The Evidence and Inventory Management Unit shall return the firearm within five days of receiving a written request for the return of the firearm by the person from whom the firearm was taken along with a copy of the original receipt provided by the Department to such person.
3. A firearm taken into custody pursuant to an ESRO/SRO shall be released to an individual identified by the Court within five days of the Department receiving a copy of the court's approval of the transfer.
4. Prior to returning a firearm, a NCIC/VCIN check of the Risk Order Registry shall be conducted to confirm that the individual is no longer subject to an ESRO/SRO and is not otherwise prohibited by law from possessing a firearm.
5. A firearm taken into custody pursuant to an ESRO/SRO may be disposed of in accordance with the provisions of § 15.2-1721 if the person from whom the firearm was taken provides written authorization for such disposal to the Department or the firearm remains in the possession of the Department more than 120 days after such person is no longer subject to an ESRO/SRO and they have not submitted a request in writing for the return of the firearm.